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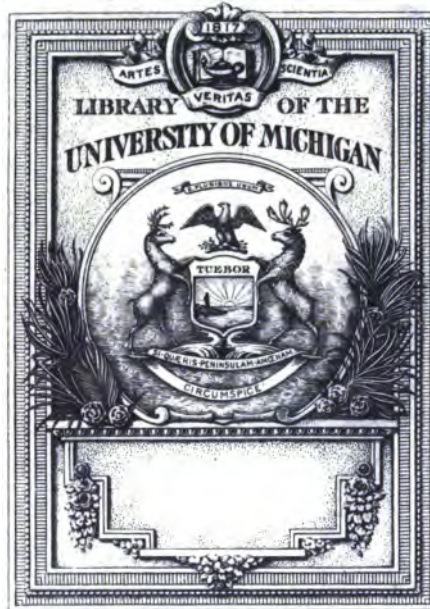
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BEQUEST OF  
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7

**RECORDS OF THE CAPE COLONY.**



*Cape of Good Hope*

# RECORDS

OF THE

# CAPE COLONY

*From OCTOBER 1824 to FEBRUARY 1825.*

COPIED FOR THE CAPE GOVERNMENT, FROM THE  
MANUSCRIPT DOCUMENTS IN THE PUBLIC  
RECORD OFFICE, LONDON,

BY

GEORGE M<sup>C</sup>CALL THEAL, D.LIT., LL.D.,  
COLONIAL HISTORIOGRAPHER.



VOL. XIX.

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1904.

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## RECORDS OF THE CAPE COLONY.

[Copy.]

*Letter from Officials of the Lombard Bank to the Commissioners of Enquiry.*

LOMBARD BANK, 15th October 1824.

GENTLEMEN,—In reply to your letter of the 14th Instant, requesting us to inform you upon what authority, and upon whose valuation, the Sum of 10,000 Rixdollars was advanced to Lieutenant Colonel Bird upon the Security of two pieces of Land, the one situated next to the Custom House, and the other in Hout Bay, we have the honor to acquaint you that the Sum in question was advanced by us pursuant to our own valuation and under the Authority of the 5th Paragraph of our Instructions, viz.

“On Mortgages situated within Cape Town, no more than the half, and those without the Town two thirds of their estimated Value may be lent, which estimation is left to the Commissioners (*Directors*) to be made according to the state, situation, income, or other qualities and peculiar circumstances which may increase or decrease the value of such Mortgage.”

We take leave to observe in explanation of that part of your Letter in a parenthesis, viz. : (the Sum of 20,000 Guilders being secured on the former, and that of 30,000 Guilders on the latter) that the two pieces of Land, estimated together at the sum of 50,000 Guilders, are mortgaged jointly and separately to the Bank for the advance of 30,000 Guilders, and that the whole property of the two personal Sureties is pledged to the Bank as a collateral Security for the Loan in question. We have &c.

(Signed) JOHN MARSHALL,  
G. H. MAASDORP.

[Original.]

*Letter from LORD CHARLES SOMERSET to EARL BATHURST.*

CAPE OF GOOD HOPE, *October 16th 1824.*

MY LORD,—His Majesty's Commissioners of Enquiry having done me the honor to transmit for my perusal from time to time, the Evidence they have taken in investigating Mr. D'Escury's calumnious Charges against me, it is incumbent upon me to apologize and to account to Your Lordship for any Incorrectnesses in the Statement I had the honor to make to Your Lordship on this Subject in my Letter of the 2nd of December last.

What I then stated was entirely from Recollection relative to Circumstances which I never dreamt at the time they occurred I should ever have to recur to, and I was precluded from aiding my Memory by a Reference to any official documents, as I knew that the Office was watched by the very Person by whom I felt convinced the Conspiracy against me was formed and organized, and I could not condescend to give him the Triumph of knowing that the Subject was agitated, previous to the Enquiry being gone into. Exclusive of these Circumstances I am free to confess that I wrote under an Agitation of Mind bordering on Distraction. This however I knew, that no favor whatever had been shewn Mr. Redelinghuis, that at the time of his conversion of his loan place into Quitrent and of his having a Grant of the adjacent Land (which Land had always been occupied by his Predecessors) at the valuation put upon it by the local Authorities, the circumstance of his Wife having in conjunction with two other Persons purchased an English Horse for breeding never occurred to me, nor if it had would it have made the slightest alteration in my Decision upon a public Matter. No Favor whatever was shewn. He used the Government Land adjacent to his place as his Predecessors had done, paying only 24 Rds. per annum. The Quitrent put on these lands was 163 Rds. 6 sks. and it was granted at 164 Rds. per annum. Mr. Redelinghuis prayed for the Mountain, which was *not* granted, and still remains in statu quo, i.e. under the Restrictions laid upon it in 1787 by the Dutch Government, and this circumstance led to the Impression

on my mind that made me state in my Letter of the 2nd December last that "I was still ignorant if the Grant prayed for was or was not made."

I am not aware of the Report that His Majesty's Commissioners have made to your Lordship, but if they have got at *the truth*, which must have been difficult, the basest Artifice that the most implacable Conspiracy could resort to being employed to prevent it, if I say they have got at the Truth, I feel confident not only of enjoying Your Lordship's Approbation, but of your feeling a just resentment against those who have so foully attempted to assassinate my honor.

In the whole of this Transaction I had no other than the object I always have in view in the Execution of the Duties of my Office, that of doing strict and impartial Justice to the Individuals concerned and to perform my Duty conscientiously to His Majesty's Government. I acted to the best of my Judgment and having the Case again fully before me I conscientiously declare that were it to come before me anew, I should act precisely as I did. Under every Circumstance I have the Consolation of my own Conscience, and I confidently trust that I shall be compensated for the many hours of poignant Anxiety that this base Conspiracy has caused me, by being assured by Your Lordship that you are perfectly satisfied. If however there should be in the Course of the Commissioners' Report any Point not sufficiently explained as regards my Conduct, I feel persuaded that Your Lordship will refrain from forming any Decision upon it until I shall have an Opportunity of explaining it, when I do not doubt of proving most incontestably to Your Lordship that I have in every part of my Administration of this Government been invariably actuated by Motives worthy of the dignified Station I hold by Your Lordship's Favor, of the name I bear, and of the Family of which I am a member. I have &c.

(Signed) CHARLES HENRY SOMERSET.

---



[Original.]

*Letter from LORD CHARLES SOMERSET to EARL BATHURST.*CAPE OF GOOD HOPE, October 16<sup>th</sup> 1824.

MY LORD,—Referring to the (Confidential) Letters I had the honor to address to Your Lordship on the 28th July last and 11th instant, upon Subjects connected with the Fund for the relief of distressed Settlers, I have the honor to enclose to Your Lordship some Papers relating thereto, which have arisen out of a Paragraph which had appeared in a Newspaper called "*the British and Indian Observer*" of the 18th April last, and which was noticed by the Editor of the *Cape Gazette*, Enclosure No. 1. The Letter signed "a Settler," Enclosure No. 2, extracted from an independent Weekly Newspaper here (the *South African Chronicle and Mercantile Advertiser*) was written by a very respectable Settler named Currie residing in Albany. That and the contents of Mr. Wm. Wentworth's Memorial, Enclosure No. 4, will unmask to Your Lordship the Artifices which have been resorted to, to cast unjust odium upon the Government. The tone in which Mr. Pringle's Reply, Enclosure No. 3, is written is completely characteristic of the Party of which He is an Active Member, Philip, Fairbairn, &c., &c.

I have considered it a duty I owe to Your Lordship to intrude these Documents upon you, to guard against any erroneous impression with regard to the Settlers, which the gross misrepresentations which are transmitted from hence, and industriously promulgated at home, might tend to establish.

I have &amp;c.

(Signed) CHARLES HENRY SOMERSET.

[Enclosure 1 in the above.]

*Extract from the Cape Town Gazette.*

An English paper lately received, in recommending the state of the distressed Settlers in Albany to the charitable consideration of the British Public, contains the following extraordinary paragraph :—

"At the Cape, English women are starving ; English women

are naked ; English women are compelled to purchase with the sacrifice of their virtue, from the hands of the sailors who happen to stop there, a handful of rice to support a miserable existence:"—and this statement is prefaced by an assertion, that it is from letters describing the misery and destitution of our countrymen settled at the Cape of Good Hope. We cannot suppress the strong feelings of indignation for so atrocious a perversion of truth, and it is but justice to the Settlers thus publicly to declare our firm conviction that the paragraph in question is false *in toto*. In fact, every one here knows, or ought to know, that the majority of the parties, from the nature of their locations, are very far removed from even the slightest probability of intercourse with sailors ; besides, let it be remembered, that whatever difficulties and distresses our unfortunate countrymen have had to struggle with, we are confident, that the direst calamities have never urged them to seek any, the least, alleviation of their miseries, at the expence of the virtue of their wives and daughters.

What the object of this calumniator may be we do not pretend to divine ;—if it be to induce the Public to aid the Settlers by pecuniary assistance, we are quite sure no English Settlers would accept of the bounty of the Public, by the sacrifice of their moral character.

[Enclosure 2 in the above.]

*Extract from The South African Chronicle and Mercantile Advertiser.*

ALBANY, 28th August, 1824.

TO THE EDITOR. SIR,—The extract from an English paper contained in the *Cape Gazette* of the 14th inst. describing the state of the English women at the Cape, was read here with the utmost horror and indignation, and it was immediately proposed that some measures should be adopted for the purpose of exposing, and, if possible, punishing the wretched libeller or libellers, and endeavour to rescue the female part of the Settlers' families from the infamous aspersions thus cast upon them.

I have lately been much in communication with the Settlers, have made a point of ascertaining their circumstances and

means of support, and am fully satisfied that 1000 Rds. and 4 or 500 in reserve to procure occasional Medical Aid, is sufficient to relieve all the actual and real distress which now exists in Albany.

There is plenty of work and high wages, but a scarcity of workmen. Without victuals the most common labourer receives 2 Rds. per day ; a tradesman 3 to 3 and a half Rds. The best labourers and tradesmen can seldom be prevailed on to work by the day, preferring piece-work, by which the former usually earn from 3 to 5 Rds. and the latter from 4 to 7 Rds. per day. Charwomen receive from 6 Skgs. to 1 Rdr. per day, including victuals. Boys and girls command high wages, and are difficult to be got. I have paid 15 Rds. per month, for a boy under twelve years of age. Servant girls above fourteen get from 60 Rds. to 100 and 140 per year, and cannot be obtained. Hottentots (men) 6 to 10 Rds. per month.

Beef is three stivers per lb. Meal, highest price in Graham's Town, the best this season, 24 Rds. per muid ; lowest price 9 Rds. ; average 16 Rds. 4 Skgs. per muid. On the 20th inst., 80 barrels of fine flour, containing about 308 Dutch pounds each, were sold in Graham's Town from 53 to 72, averaging about 66 Rds. per barrel. A large proportion of this was bought by the Settlers, not from scarcity, for there was a great quantity of meal in Graham's Town. Thirty-five muids were sold in the market, the day previous to the sale, at 19 Rds. 4 Skgs. per muid ; it was retailed in the shops, on the day of the sale, at 22 Rds. ; and wheat was sold in the market, the same day, at 15 Rds. 2 Skgs. per muid ; the price for grinding, at the mill, is 1 Rdr. per muid.

Formerly, at the public sales, when the auctioneer announced the terms, he used to add, " Settlers, ready money, or two good securities ; " this has been discontinued fourteen or fifteen months ago. A Settler is seldom refused credit at a sale. The sales at the Kowie, this year, have been frequent and extensive ; the Settlers are almost the only purchasers. The Vendue-master has not lost by them, nor has he any apprehensions that he will.

The above facts are on record ; they are to be found in the accounts of every one who has employed workmen, in the market-master's and the shopkeepers' books, and on the

vendue rolls ; and I defy any man, or party, to contradict them essentially ; every man will of course draw his own inference from them ; my own is, that while work is plentiful, wages, and the two leading articles of provisions bearing the same proportions to each other, there can be no general and deep distress, and that every *industrious* and *sober* family may do well. The idle and profligate will always be in want.

At the very worst of times the distress was never half so general or severe, as for particular purposes it was represented ; every mole-hill was raised to a mountain. The paragraph which occasioned this letter, originated, I doubt not, in the *faux pas* of some English woman, and, immediately, it is trumpeted all over England, and the world, that “English-women at the Cape are naked,—are starving,—are bartering their virtue for a handful of rice.”

Had money been solicited and granted for the purpose of assisting those speculators who had failed in their enterprises, which, frequently, they had neither capital or experience to conduct or to aid the industrious man who was beginning to prosper, but whose prosperity would be accelerated by an increase of capital, the undertaking would have been praiseworthy and honest ; but to collect large sums under the plea of rescuing females from prostitution, forced upon them by extreme hunger, and a body of men from general and appalling distress, where no such prostitution exists, and where distress is only very partial, appears to me (to say the least of it) obtaining money under false pretences.

In another point of view, it would appear to deserve the notice of both the colonial and home Governments : the mother country has an overflowing population, and a constant stream of emigration issuing from her. Every town and district in this colony is greatly in want of useful labourers, but the damning and false reports circulated, with regard to its internal state, deter emigrants from coming to it, and thus bars all the good to be derived from a constant influx of new hands and new capital. Such an influx is the general interest of the Colony, but it is opposed by individual interests, which, in proportion as they are small, are more easily wielded with such activity as to be a formidable weapon.

The exercise of benevolence is so noble in itself, and when

joined to the pleasure of popularity attending the receipt and distribution of large sums, is altogether so fascinating, that no wonder it narrows its operations with reluctance. There may be an excess of bigotry in benevolence, as well as in religion. Among the Settlers there are several who receive considerable assistance from their friends in England, and the longer and louder the cry of general misery resounds, the longer and more frequent will be the remittances.

These, and perhaps other latent causes, are injuring the Colony more, ten times over, than it can ever be benefited by any possible amount of gratuitous distribution. I am, Sir, yours, &c,

(Signed) A SETTLER.

[Enclosure -3 in the above.]

*Extract from The South African Chronicle and Mercantile Advertiser.*

The following letter, bearing the genuine signature of the gentleman who is the author of "Some account of the English Settlers in Albany," published this present year, we have not hesitated to insert. At the same time, we feel ourselves called upon to state, that the author of the letter in our last number, signed "A Settler," is a gentleman of respectability, a Settler, and now residing in Albany, and of that signed "A Merchant," a commercial gentleman highly esteemed.

To the Editor of the *South African Chronicle*.

CAPE TOWN, *Sept.* 25 1824.

SIR,—I observe in your paper of last Wednesday, two letters respecting the Albany Settlers, and those who have promoted the subscriptions for their relief, which appear to me calculated to convey very erroneous impressions to unsuspecting readers, and I therefore beg leave to offer a few remarks on them.

One of your Correspondents, who subscribes himself "A Settler," and dates his letter from Albany, affects to be so exceedingly scandalized at an Extract from an English paper recently inserted in the *Cape Gazette*, that he feels it sufficient to justify him in a most invidious and unfair attack on all

those Settlers, and friends of the Settlers, who have promoted the subscriptions in England ;—as if *they* were the “ libellers ” of the English women at the Cape,—or guilty of attempting to excite the public sympathy by propagating such “ aspersions.”

Now, Sir, it would have been well if your “ Settler ” had first tried honestly to ascertain the source of this vile paragraph, before he ventured to impute it to the persons who promoted the subscriptions. There is not the slightest ground to warrant such an inference. On the contrary, it is evident to any one who knows the character of those who have had the chief hand in promoting the subscriptions both here and in England, that such a statement could not proceed from them ; though it is conceivable enough that it may have been foisted into print by some foolish Editor, or, more probably, fabricated by some false friend of the Settlers—some secret enemy who was eager to sow tares among the wheat.

But, not to waste time on a paltry paragraph (which so far from being blazoned all over England, as your Settler assumes, had only found a place, so far as appears, in some obscure Provincial newspaper—till it had the honor of being quoted by the *Cape Gazette* and your Correspondent),—let us come at once to the direct point at issue. Does your Correspondent really mean to say, or to insinuate, that the Society for the Relief of distressed Settlers is an Association absolutely unnecessary, or actually injurious ? This seems to be the drift of his letter, so far as I can clearly apprehend it. And in order to make this appear plausible, he has gone into much detail to show the high price of labour, and the great demand for servants and tradesmen, that exists in Graham’s Town. These details, I hope, are accurate ; and if so, they are the only useful part of the letter. But they tend, in my apprehension, to a conclusion widely different from that of your Correspondent,—who, on such premises, assumes that there is little or no occasion for any assistance to Emigrants, and that 1000 or 1500 Rix-dollars “ is sufficient to relieve all the actual and real distress which now exists in Albany.”

These very facts (which no one ever disputed) of the high price of labour and the scarcity of labourers, prove of themselves the necessity of assisting the *other classes*, who were the original employers of those labourers, but who, after the failure

of four successive crops and the unproductive consumption of the funds they brought out with them, are no longer able to pay labourers on these or on any terms. *These* "other classes" are the people for whom the "large sums" have been collected—and collected under no "false pretences."

If your "Settler" had taken the trouble to read in the printed Report of the Settlers' Society, the speech of the excellent man who last year proposed the resolution for promoting Subscriptions in England and India,—I mean Sir Richard Otley,—he would have seen that the mechanics and labourers are mentioned as "alone exempted from the sufferings which have afflicted the others;" and that it was for the express purpose of "assisting the two former classes," namely the heads of Parties and small capitalists, that the public were peculiarly called upon. The sick, the widows, and the orphans alone, of the labouring classes were described as objects of commiseration. It appears, Sir, that your correspondent has either not read this Report (which he ought to have done before he ventured to throw out unfounded imputations), or if he has read it, that he has *wilfully* misrepresented the conduct of those who befriended the distressed.

Your Correspondent proceeds to state, that the Settlers were able to purchase fine foreign flour in barrels—that they have better credit than they once had at the vendues—that work is plentiful, and therefore, "that every *industrious and sober* family may do well;"—adding that it is only "speculators who had failed in their enterprizes, which frequently they had neither capital nor experience to conduct;" or those who, being too lazy to make exertion for themselves, are desirous of levying contributions on their friends in England, from whom "the cry of general misery resounds."

Under this description of "speculators," and pitiful mendicants for charity—"under false pretences," your "Settler," it appears, has the assurance to rank all who are not thriving in Albany. He thus insinuates, what he durst not and could not openly express, without glaring absurdity, that all those who have exhausted their resources during four years of failure, and who are unable to retrieve themselves by the *high wages*, are of this description. Truly the writer of the paragraph about the English women at Algoa Bay need not, after this, be ashamed

to claim kindred with your Correspondent. It would be difficult, I think, to decide, whether the "aspersions" of the one, or the insinuations of the other, are most insulting to the unfortunate Emigrants. The latter, I conceive, to be much the more mischievous of the two. He writes cunningly and speciously, and, I suspect, is not much used, even amidst all the tempting wages of Albany, to earn his own livelihood by the spade or the trowel.

Your other Correspondent, the "Merchant," says "it is by no means a valuable temper to be always insensible to the attacks made upon us," and I am very much of his mind. When I see your "Settler" and your "Merchant" clubbing their wits together, for the obvious purpose of misrepresentation and mischief, I confess I am not of the temper to let them proceed without due exposure.

This "Merchant" tells us (with the hope, no doubt, of stirring up the Cape Merchants and Magistrates against the Society for the relief of the Settlers) that at the Public Meetings for this purpose, in London and Glasgow, "very severe censures have been passed by the speakers against all ranks of people at the Cape, but especially against the Gentlemen holding high official situations, and the Merchants," for "their cruel indifference to the cries of distress," and so forth. This is affirmed to be on the authority of "letters in Town from the cities of London and Glasgow." I confess I should like to see these "letters." I have also received recent letters from the cities of London and Glasgow, which say a good deal of the subscriptions, but not a single word of any such "censures;" and I know that there are Cape Merchants, in Cape Town, who attended these meetings in London, and who positively deny that any thing of the sort occurred.

This circumstance made me suspect the correctness of your "Merchant's" assertions in other points; and when I found him accusing certain "pious people" of "a moral, nay, a positive suicide, in draining the resources of the country, and bestowing upon foreign objects" very large sums, as contributions to the funds of the London Missionary Society, I perceived that it was something very different from either the welfare of the Settlers, or the character of the Cape Merchants that he was aiming at. I took the trouble, therefore, to look over the



last Report of the London Missionary Society, in which, though I could find no "cash account of receipts" corresponding with the one your "Merchant" has furnished, yet I readily discovered, that the people of the Paarl, and its vicinity, voluntarily raised a considerable sum to assist in supporting their excellent and assiduous Missionary, Mr. Evans,—that subscriptions had been raised in several quarters to assist in erecting the Mission Chapel in Church Square,—and that the Hottentots of Bethelsdorp, so notorious (according to such accurate writers as your "Merchant") for their laziness, filth, and poverty, had actually contributed 7000 Rix-dollars to assist in purchasing a valuable farm for that Institution, at the Camtoos River,—a remarkable fact, equally creditable to the Missionaries and the Hottentots, and sufficient to silence a thousand calumnies. I further ascertained, that not one farthing was ever sent out of the Colony in aid of the funds of the London Missionary Schools; but that on the contrary, from £3,000 to £4,000 Sterling, is annually remitted from England, and expended in this Colony, in aid of the Hottentot Institutions, and other objects of the Missions. So much for the candour of your "Merchant" and for the correctness of his "few stubborn facts."

On the subject of exaggerating the distresses of the Settlers, it would be easy to shew very satisfactorily, that the only exaggerations that have ever taken place, and these entirely unintentional, have been in anticipating from the repeated failure of the crops and other calamities, more general distress *for food*, than has actually occurred. For this fortunate result we have to bless providence in saving a portion of last crop; we have to praise the mildness of the climate, and the many cheap resources of a thinly peopled and pastoral colony, throughout which those who had abandoned their locations in despair, have scattered themselves and found subsistence. No one, I think, will venture to maintain that the population located in the Zuureveld four years ago, could have remained there without great and general distress. If this had been an erroneous opinion however, it was not confined to "one or two religious characters," but was equally the persuasion of many other sagacious and well informed persons. The author of the State of the Cape in 1822, speaking of the Settlers,

says :—"If it be in the dispensation of Providence to deny, for the third time, the blessing of an abundant harvest, *no expectation can be rationally formed, other than that of extreme and general distress throughout the whole Colony of the Cape of Good Hope.*" (p.p. 243). In the same manner the Society promoted by His Excellency the Governor two years ago for the relief of "Lying in Women, the Sick, and those in evident want," does not hesitate to state in its advertisements, the existence of "*great and general distress*" among the Settlers.—(*Cape Gazette*, June 22, 1822.)

But the fact is that there has been and there now is "great and general distress," among the Settlers. There is, probably, no *general* want of food, nor fear of famine now. That danger is passed over,—for the multitudes who might have starved on their locations, are now widely dispersed over a country where the absolute necessities of life are cheap and plentiful. Some have even begun to prosper in the Zuureveld. Industrious and sober mechanics are saving money at Graham's Town; expert hawkers are collecting stock; persons who came out absolute paupers, and had their deposits paid by their parishes, are beginning to thrive. The success of these classes is fortunate, and clearly exhibits the natural resources of the country. But it is nevertheless a melancholy consideration, that while the pyramid of civil society is thus turned topsy-turvey, the classes who once occupied the upper grades—and from whose resources (fruitlessly, though not improvidently expended), the lower orders have been enriched,—that these classes if not speedily and efficiently supported, must necessarily sink, and are now fast sinking, into poverty, and will, ere long, if such writers as your "Settler" and "Merchant" are allowed to attain their insidious aims, be degraded into the servants and dependants of the more fortunate mechanics and mendicants who came out under them.

To these remarks your regard for candour and fairness, Mr. Editor, together with your praiseworthy anxiety to escape "the imputation of being callous to the calls of distress, and of checking the full tide of charity," will, I doubt not, induce you to afford ready insertion. I, for my part, shall assume no *fictitious* signature to cover my responsibility;—my own, however unimportant in other respects, will, I trust, support my

claims to some acquaintance with the subject, and relieve me and other friends of the Settlers from any future necessity of noticing similar attacks or aspersions from *anonymous* assailants.

I am, Sir, &c.

(Signed) THOMAS PRINGLE.

[Enclosure 4 in the above.]

To His Excellency the Right Honourable General Lord Charles Henry Somerset, Governor and Commander in Chief of the Colony of the Cape of Good Hope, &c., &c., &c.

The humble memorial of William Wentworth most humbly and respectfully sheweth :—

That Your Excellency's memorialist came into this Colony with the Party of Settlers under the Superintendence of the late Mr. William Clarke.

That Your Excellency's Memorialist has since his arrival by industry and perseverance, aided by the constant and paternal Solicitude evinced by your Excellency for the general and individual Interests of the British Settlers, arrived at a great degree of comfort and local Stability, but which would be greatly enhanced, should your Excellency consider Memorialist deserving of such consideration as to grant him a Loan of One Thousand Rixdollars, to be laid out in Stock, and for which your Excellency's Memorialist is prepared to give good and ample Security.

That your Excellency's Memorialist in making this Request, is aware of the large Sum of Money which has been contributed by a generous Public for the relief of distressed British Settlers in Africa ; but as he considers such contributions to have been obtained under false pretences, and that no such distress and misery exist, as to call forth such an exercise of public philanthropy and benevolence in their regard, he feels compelled to decline accepting pecuniary assistance from a fund which has been created by such palpable misrepresentations.

In conclusion Your Excellency's Memorialist trusts that his character and conduct, upon the strictest Scrutiny, will shew that Memorialist is not undeserving your Excellency's consideration.

And Your Memorialist as in duty bound to the Benefactor of himself and family will ever pray.

(Signed) WM. WENTWORTH.

Graham's Town, 2nd October, 1824.

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[Original.]

*Letter from the COMMISSIONERS OF ENQUIRY to EARL BATHURST.*

CAPE TOWN, 16th October 1824.

MY LORD,—In the report, that we had the honor to transmit to your Lordship on the 14th inst. by the *Cambridge*, upon the grants of land made by His Excellency Lord Charles Somerset to Mr. Redelinghuys, we stated, that opportunities had from time to time been afforded by us to his Lordship of perusing the evidence of the several witnesses that we examined, and that we were always ready to enter upon the examination of any Individuals whom his Lordship named to us as likely to elucidate the subject.

Except in one instance, however, (the evidence of Mr. D'Escury) his Lordship did not manifest any wish to offer to us explanation upon the various points that occurred, and we forbore from motives of delicacy to request any, leaving it altogether to his Lordship's judgment to determine, in what parts of the case he might himself conceive, that explanation was requisite or desirable.

It is for this reason that we now request to correct or rather to qualify a passage contained in our report, in which we remarked that in giving his decision upon the memorials and documents that were laid before him on or before the 19th December 1823, Lord Charles Somerset received no new information that could have led him to alter the determination that he seemed previously to have made in favor of Mr. Redelinghuys, or to have converted to the common benefit of the Inhabitants of the Hantam the pasturage of the Mountain that Redelinghuys had claimed under a title which Lord Charles Somerset had apparently recognized.

We now beg leave to request your Lordship's particular reference to the volume of Documents that accompanied our

report, and you will there find that in a letter that was addressed by Captn. Synnot, the Deputy Landdrost of Clanwilliam, to the Colonial Secretary on the 30th January 1823, it is stated that "Mr. Redelinghuys withdrew his claim as Proprietor of the place named Gemberkte Carreehouste Boom to every right to the Hantam Mountain, which in fact he could not support, particularly as no right of this nature is mentioned in his grant of said place, when taken on perpetual quitrent, which circumstance I did not take into consideration at the time he placed certain documents in my hands and consulted my opinion."

The letter that had been addressed by Redelinghuys to Captain Synnot on the 15th January 1823, and which was enclosed in Captain Synnot's to the Colonial Secretary, contained a declaration of his willingness to hold the mountain on whatever terms the Colonial Government might think fit, paying yearly perpetual quitrent or otherwise.

We have already had the honor of stating to your Lordship our reasons for being of opinion that Redelinghuys was not to be considered bound by the verbal renunciation he had made to Captain Synnot, and we do not think that the expressions of his own letter above quoted go further than a consent to pay quitrent for the Hantam Mountain, with a condition of admitting the cattle of the Inhabitants to graze during the period of the horse distemper.

Adopting the terms of the Deputy Landdrost's letter, and without information of the manner in which Redelinghuys's consent was given, Lord Charles Somerset in the month of December 1823 came to the determination of rendering the pasturage common to all the Inhabitants in all seasons of the year, and it was not until an order was given in execution of this determination, that Redelinghuys was awakened to a sense of the consequences that had followed the misconstruction put upon his words by Captain Synnot. He immediately repaired to Cape Town for the purpose of having a personal interview with Lord Charles Somerset, and of convincing his Lordship that he had never meant to make such a renunciation of his claims.

As we had the honor of stating in our report, that we were not aware of any new circumstance having occurred previous to December 1823, that could have led Lord Charles Somerset

to alter the determination that he had previously apparently made in favor of Redelinghuys, and that altho' the renunciation stated in Captain Synnot's letter of January 1823 was not such as in our opinion could bind Redelinghuys, yet we have now no doubt that it was considered by Lord Charles Somerset to be free and unconditional, and we believe that it principally weighed with his Lordship in altering the view that he had previously taken of the claim of that Individual, and in disposing his Lordship to acquiesce in the adoption of the suggestions that he had until then so uniformly resisted.

We have &c.

(Signed) JOHN THOMAS BIGGE,  
WILLIAM M. G. COLEBROOKE.

[Original.]

Statement of the Population of the Cape of Good Hope, commencing with the year 1807.

Year.	Free Inhabitants.		Hottentots.		Apprentices.		Slaves.		Total.
	Men	Women	Men	Women	Male	Female	Male	Female	
1807	14,169	13,551	8,607	8,050	—	—	19,056	10,230	73,693
1808	14,774	12,813	8,151	8,569	—	—	19,225	10,344	73,876
1809	15,225	13,455	8,299	9,163	—	—	19,105	10,560	75,807
1810	16,322	14,615	9,493	10,271	—	—	19,821	10,600	81,122
1811	16,853	15,012	9,775	10,390	—	—	19,176	10,713	81,919
1812	17,090	15,617	9,355	10,055	—	—	18,804	11,103	82,024
1813	17,321	15,964	9,651	10,256	—	—	18,999	11,015	83,206
1814	17,862	16,477	9,668	8,834	—	—	19,862	11,366	84,069
1815	18,135	17,306	9,614	8,690	—	—	18,496	11,304	83,545
1816	18,230	17,884	9,484	10,552	528	225	18,596	11,466	86,965
1817	20,154	18,578	11,683	11,870	778	330	19,080	12,293	94,766
1818	22,434	20,420	11,489	11,491	961	412	19,507	12,802	99,516
1819	20,912	19,612	11,323	10,295	968	418	18,708	12,154	94,390
1820	23,828	21,943	12,700	12,687	959	451	19,191	12,719	104,491
1821	24,977	23,001	14,291	14,544	913	451	19,164	13,024	110,365
1822	24,223	22,121	14,700	14,512	954	503	18,971	13,154	109,138

Excepting Albany, the census of which District has not been returned.

CAPE OF GOOD HOPE, 16th October 1824.

XIX.

C

It has not been found practicable to furnish a return of the Population for any period antecedent to the year 1807, many of the Drosties had not been established and the practice of taking the census commenced late in most parts of the Colony.

(Signed) CHARLES HENRY SOMERSET.

[Original.]

Grants of Land at the Cape of Good Hope made to Hottentots and Bosjesmen during the last Seven Years.

District.	Date of the Grant.	Grantee.	Extent of Land.
Cape . .	15 Oct. 1817	Jac <sup>s</sup> Davidson (Hott.)	3 morg. 67 roods, per- petual quit rent.
Stellenbosch .	1 July 1817	Saartje (Bastard Hott.)	2 morg., do.
Ditto . .	27 Oct. 1817	Moses Balie (ditto)	24 morg. 136 roods, ditto.
Ditto . .	27 Oct. 1817	Carel Fortuin (ditto).	29 morg. 410 roods, ditto.
Ditto . .	4 Feb. 1819	Carel (Hott.)	12 morg., ditto.
Worcester .	24 Sept. 1821	Abraham Zwart (Hott.)	27 morg. 194 roods, ditto;

It is to be observed that it is the practice of Hottentots, when they are not in Service, to repair to one of the Moravian or other Religious Institutions. The Applications for Land, therefore, by this Class are very rare.

(Signed) CHARLES HENRY SOMERSET.

CAPE OF GOOD HOPE, 16<sup>th</sup> October 1824. ]

[Original.]

*Return of all Commandos or Expeditions against the Bosjesmen which have taken place at the Cape of Good Hope since 1797; stating the number of Bosjesmen killed, wounded, and taken Prisoners, stating also what had been done with the Prisoners.*

District of Stellenbosch. Number of Commandos 14, Bosjesmen killed 45, wounded 4, taken prisoners 22.

The Commandos that proceeded against the Bosjesmen from this district were ordered out in consequence of the repeated depredations and murders committed by this marauding race of people. To repress this disposition on the part of the Bosjesmen, no other means could be rendered available than that of immediate pursuit and punishment. The expeditions mostly took place during the latter end of the last century, and it has not therefore been practicable to ascertain precisely the fate of those taken prisoners: some, however, it appears escaped, and it is surmised that the remainder were released.

District of Worcester. Number of Commandos 18, Bosjesmen killed 42, wounded 7, taken prisoners none.

The same remark is applicable in this instance.

District of Graaff-Reinet. Number of Commandos 21, Bosjesmen killed 97, wounded 3, taken prisoners 280.

According to the practice of the district, the prisoners were distributed among the inhabitants, and put out to service for a stated period. The greatest precaution, however, has been observed in the treatment of these uncivilized people, and the Proclamation establishing the registry of slaves will show that no attempts could be successful to include any of this class amongst those unfortunate persons. The accompanying documents show the anxiety of the colonial government in this regard, and detail the system at present pursued, and the regulations established respecting them. Most of the prisoners taken on these expeditions have returned to their kraals, and the remainder are living with the farmers on the same terms as their Hottentot servants. In cases where the perpetrators



of murders could be discovered, they were tried by the colonial laws, and, if convicted, underwent the punishment their crimes demanded.

(Signed) CHARLES HENRY SOMERSET.

CAPE OF GOOD HOPE, 16th October 1824.

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[Copy.]

*Evidence given by MR. W. WILBERFORCE BIRD to the  
COMMISSIONERS OF ENQUIRY.*

CAPE TOWN, 16th October 1824.

How long have you filled the situation of Comptroller of the Customs at the Cape of Good Hope ?

Reply. About fourteen years.

Had the Custom House and Warehouses attached during that time been always in their present situation, or have they latterly, and how lately, been removed thither ?

Reply. We removed from a portion of the vacant allotment next to the present Custom House to Caledon Square in the month of December 1813, but that Situation being found very inconvenient for Public Business, we came back to the residence of the Naval Commissioner in 1820, which in the interval had been quitted by him on the removal of the Department to Simon's Bay.

Can you recollect what use was made by the Naval Department of the Lot now vacant that is next to the Custom House and faces Strand Street ?

Reply. On the greater part of it there were Naval Store Houses and a Cooperage Yard, and at the eastern end was the Custom House consisting of three or four Upper Rooms and a small Store below, but all in a very ruinous state. Some time after the removal of the Custom House to Caledon Square, the whole of the Buildings I have described were pulled down, and the Spot left vacant in the possession of the Colonial Government.

Did the Colonial Government make any, and what use of this allotment ?

Reply. It remained nearly in a State of Ruin after the Victualling Department and the Custom House were removed.

When the Custom House was brought back to its present Situation, to what use was this vacant Spot applied ?

Reply. Not to any that I recollect, the Custom at that moment not actually requiring a larger space.

Was the old access to the Naval Stores and Custom House in the same direction that it now is ?

Reply. One access to the Victualling Yard was thro' a pair of large folding Gates opening to the street, and the same Road that now leads by the side of the House led thro' the Gates of a Palisade that surrounded the Custom House Yard and the back of the Victualling Yard, thus forming another entrance.

Do you imagine that the same right of Road has been preserved to the Custom House since the vacant allotment was granted away ?

Reply. I conclude it is so, as the Waggons coming to the Custom House have always used the Road, without any interruption.

Do you conceive that this vacant allotment that has been granted to Colonel Bird would have formed a desirable addition to the Custom House ?

Reply. Many cases have arisen since the Bonding System has taken place where additional Stores would have been very desirable, as the Custom House has been under the necessity of permitting the Merchants to use their own Stores, giving the Key to the Officers of Customs ; but I conceive this advantage to be chiefly prospective upon any future extension of the Bonding System, the hope of which is anxiously entertained by all Classes of the Inhabitants. In the year 1821 the Custom House was compelled to allow the Merchants to hire their own Stores to a considerable extent. In case of a War the present Stores would be quite insufficient.

Were the Officers of the Customs made acquainted with the intention of the Colonial Government to grant this allotment ?

Reply. Not officially.

Did they ever think it necessary to make any representation to the Acting Governor Sir Rufane Donkin upon the subject ?

Reply. No communication was ever made to the Officers of the Customs by the Acting Governor to know their Sentiments,

and they were not officially acquainted with the circumstance until after it had taken place.

Do you know what space the Allotment contains ?

Reply. The width of the ground in front appears to be about 89 Feet, and its depth about 168 feet by common measurement.

Does the Custom House receive Store Rent for Goods bonded by Individuals ?

Reply. Yes, and the amount of Store rent so received is upon an average 2000 Rixdollars per Annum ; and as the bonding system increases, the Rent will be proportionably augmented.

Are you at all acquainted with the value of the contiguous Allotments ?

Reply. Not particularly ; but I have made some inquiry as to the probable value of the vacant allotment in question, and am told that an Allotment similarly situated might be worth 6000 Rixdollars, but in this identical spot, open to the Parade in front, and at the back towards that part of the Strand or Seashore on which it is expected that a new Landing Wharf may be built, the value might rise to about nearly ten thousand Rixdollars.

How many Store Houses do you think that the allotment is capable of containing ?

Reply. Three very conveniently of the same length and breadth as the present Custom House long Store that faces Strand Street, leaving a space for a Road.

What do you calculate the Rent would be that such Stores would yield annually ?

Reply. I consider that they would give a Rent, if occupied, fully equal to the present Stores.

(Signed) W. WILBERFORCE BIRD.

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[Copy.]

*Letter from the COMMISSIONERS OF ENQUIRY to LIEUTENANT COLONEL BIRD.*

CAPE TOWN, 18th October 1824.

SIR,—In pursuing our Inquiries into the charge made by Mr. W. Parker against you of inducing him through unfair and high colored descriptions of the District of Clan-William to repair thither, with his Party, by which he incurred great loss, and having understood that certain instructions were left with you by the Acting Governor Sir Rufane Donkin for your guidance in all matters relating to the Emigrant Settlers, we have the honor to request that you will inform us whether it is in your power to furnish us with any such instructions.

We have &c.

(Signed) JOHN THOMAS BIGGE,  
WILLIAM M. G. COLEBROOKE.

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[Copy.]

*Memorial of Members of MR. WILLSON'S Party to LORD CHARLES SOMERSET.*

18th October 1824.

May it please your Lordship.

We, the undersigned, being Settlers of Willson's party, beg leave to represent to you that coming out with Mr. Willson we were induced to put into his hands, over and above the Government deposit of £10, the Sum of £5 for each man, to be by him repaid in Stores or other necessaries on our landing. Soon after our arrival he issued to us Government Stores on account, as he said, of the above £5, but which we now find to be placed to the 2nd and 3rd instalments of our deposits. We therefore humbly request that your Lordship will be pleased to order an investigation on the subject, as we conceive that he has swindled the party out of three or four hundred pounds.

We also beg to observe that there was paid by each of us 5 per Cent as agency for all money put by us into his hands.

(Signed)	W. CURRIE	JAMES LANCE
	ALEX. BISSOP	JAMES MUNDLE
	THOS. FODEN, for £2	R. GODDARD
	JOHN SMITH	THOS. PALMER
	THEOPHILUS GYFFORD	RT. HORN
	THOMAS BROWN	JOSEPH GOADLEY
	W. STANTON	HENRY LLOYD
	MORRIS SLOMAN	WM. BOND
	ROBT. PIRIE	JAS. RATHBONE
	JOHN PANDON	WIDOW JANE DOLD
	J. DONOVAN	WILLIAM DOLD
	JOHN WHYBREW	JOHN M. DOLD
	JAMES WILMOT	THOS. CLARKE
	RICHD. PEACOCK	BENJ. N. SIMMONS
	JAS. WHEELER	THOS. S. BROWN.
	JOHN PRATT	

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[Copy.]

*Letter from the REVEREND WILLIAM BOARDMAN to WILLIAM HAYWARD, ESQRE.*

BEAUFORT VALE, 19 October 1824.

SIR,—In obedience to His Excellency's commands to communicate to you satisfactory proofs that I have acted in this party as Mr. Willson's constituted Agent, and not as head of the party, I beg to state that I do not look upon myself as Mr. Willson's constituted Agent; but that I undertook the office of settling the party in order to prevent the confusion that would have taken place in consequence of Mr. Willson's desertion of us the morning after our arrival here.

The following is a correct Statement of the case: just before his departure Mr. Willson took me aside, and saying that he was going to Algoa Bay to conduct his wife and family to the location, put into my hands a paper containing the arrangement

by which each of the party was to be set down on his respective allotment, requesting that I would locate the party in his absence, and promising to return in a fortnight or three weeks at farthest, he then departed immediately, and I have never seen him since. I have at various times received letters from him, particularly from Algoa Bay, containing excuses for the non-fulfilment of his promise, and intimating that he would shortly come among us. Some of these letters, I am sorry to say, are destroyed or lost ; but from what remain the enclosed extracts will shew how far his assertions are deserving of credit. I have until now (most reluctantly I confess) conducted the business of the party with fidelity, impartiality, and disinterestedness. Yourself have seen an instance of their gratitude, and Mr. Willson's letter to Earl Bathurst will give you a specimen of his.

Although I never considered myself as Mr. Willson's constituted Agent, and was not well pleased at finding myself trepanned, as it were, into a most difficult, unpleasant, and thankless office, yet, not knowing the intentions of Government with respect to the vacated Lands, and believing that he would return to us at some time or other, I thought myself bound in honour to resist any infringement on what might at a future time be considered by Government as his rights. How the Government will decide on the question I know not, but am free to declare that should Mr. Willson's claims be admitted, the arrangement which you have so impartially and judiciously made must be set aside, and all who are on the location will be under the necessity of abandoning it, as not one of them will be able to live thereon.

If Mr. Willson can justly claim the vacated Lands in our party, permit me to ask whether all other heads of independent parties have not, at least, an equal claim to the vacated lands on them. Or, if he claim for Services done, what may not I expect, who have not only borne the burden and heat of the day, but also expended two or three hundred Rixdollars at least in their Service, without any remuneration ?

If I draw a right inference from the papers which have passed between Earl Bathurst and Mr. Willson, he appears to claim the 2nd and 3rd instalments of the deposits of the party paid through his hands to Government ; if that be the case, it is a

piece of assurance I could not have expected even from Mr. Willson.

With respect to his insinuation that he paid my deposit, which was never reimbursed by me, the enclosed Receipt will, I trust, satisfy the British Government on that head.

The other voluminous misrepresentations connected with the subject of what he terms my constituted agency, I shall not trouble you with at present. However, I am persuaded that it will give you pleasure to learn that the means of rejecting them, and of placing his duplicity in a very conspicuous light, are in my power, and that I shall omit no opportunity of doing justice both to myself and him.

Conceiving myself under no obligations either to Mr. Willson or the party, and being perfectly indifferent as to the disposal of the vacated land, I beg to lay before you this true Statement of the Case, which I trust will satisfy the British as well as the Colonial Government, and remain &c.

(Signed) W. BOARDMAN.

Observation.—In every case of constituted Agency I apprehend that some sort of contract or agreement must have been entered into between the principal and agent ; but I most solemnly assert, and am ready to testify on oath, that such stipulation or agreement was never made between Mr. Willson and myself. With regard to his assertion that “ he brought me out to act as his agent in case of his return to England,” I hereby declare that (if such were his intentions) he from first to last concealed them from me.

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[Copy.]

*Letter from* LIEUTENANT COLONEL BIRD *to the* COMMISSIONERS  
OF ENQUIRY.

Lieut. Col. Bird presents his Compliments to the Commissioners of Inquiry, and in reply to their Letter of the 18th Instant he begs to express his regret that it is not in his power to furnish them with Copy of the Documents called for.

Lieutenant Colonel Bird does not at this moment recollect

having received any written instructions on the point alluded to. Sir Rufane Donkin has however admitted in his Letter to Lieutenant Col. Bird of the 4th December 1821 (Copy of which is in possession of the Commissioners) that everything which was done relative to Mr. Parker was done by his order, and in Sir Rufane's Despatch to Earl Bathurst dated 23rd August 1821 he says "no step has been taken in regard to Mr. Parker but by my authority, and with my knowledge."

LIESBEEK COTTAGE, 20th October 1824.

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[Copy.]

*Letter from MR. ROBERT WOODCOCK to the COMMISSIONERS OF ENQUIRY.*

CLANWILLIAM, 20th October 1824.

GENTLEMEN,—In reply to your Letter of 3rd Ultimo respecting the success of my undertaking as a Settler and other particulars connected with the progress of the Settlement attempted near Clanwilliam in the year 1820, I beg leave to confine myself to a statement of facts relating to that particular party of which I had the misfortune to be a Member, I mean Mr. Parker's.

This Party to the best of my recollection comprised about 75 Families, consisting of upwards of 300 Individuals, but the exact number could easily be obtained at the Colonial Office from official documents.

The Kleine Valley situated within about 5 English miles of Clanwilliam, was assigned by Government for the Location of this large Party, which, not speaking of Servants, consisted of a number of independent Persons to be provided each with a separate location, as for instance Mr. Parker and servants, Mr. Shaw and Servants, Revd. F. McClelland and Servants, Mr. Francis and Servants, Mr. Walters and Family, Mr. John Hare and Servants, Mr. Scanlan and about 17 other independent Settlers, Doctor Addy and Servant, Doctor Holditch and family, and your humble Servant with 6 independent Settlers and 3 Servants.

The Kleine Valley contains a comparatively considerable



proportion of good Corn land, but the water is very deficient, and grain will not come to maturity in this part of the Colony, as in Zwartland, without irrigation, so that in dry Seasons (which may perhaps be estimated as 7 to 3, in regard to their frequency of occurrence) the greatest part of this Corn Land is perfectly useless for any purpose of cultivation.

To this I may add that these lands are of a Brackish or Salt description, and that the Corn has frequently been much injured by what is here called the "Rust." On the whole I think the produce in all descriptions of Grain of which the Kleine Valley is capable under the best husbandry may be fairly estimated on an average of 7 or 10 years at about 180 Muids yearly, but of this a large proportion should consist of Barley, Oats and Rye. The pasture Lands including the use of the Government pasture lands on the Western Bank of the Oliphants River are capable of supporting about 50 Head of horned Cattle, 200 or 300 Sheep or Goats, 20 Horses, and 20 or 30 Swine. In some favorable Seasons, such as the present, these lands would support a heavier Stock, but this is of little if any advantage, as the farmer could not therefore prudently encrease the number of his cattle beyond what he should be able to maintain in less favorable years. The bed of the Oliphants River lays so much below the land level as to preclude the possibility of using it for purposes of irrigation, except at such an expence as would purchase a much better place than the Kleine Valley, and most persons are of opinion that this improvement even at any expence would be impracticable.

In dry years the Mountain Stream that should water this valley is exhausted long before it reaches the Western and best portion of the land, in so much that supposing the valley divided into 30 or more small Farms as was the intention of the proprietors, the greatest part could not possibly exist for want of this most indispensable Article, as I repeat that nothing can be cultivated in this part of the Colony without irrigation, regularly and effectually practized.

I think the impossibility, or if I may be permitted to say so, the absurdity of the attempt to provide for such a population in this small valley must be apparent from the above Statement, the general correctness of which I am prepared at any time to prove by indisputable testimony. This also accounts for the

unreasonable delay that took place in assigning each independent individual his particular portion, a delay which completely broke the spirits and demoralized the feelings of those ill fated adventurers. It was some months before the then Government could be convinced of the truth of the numerous remonstrances wherewith it was continually approached by the suffering Population, remonstrances dictated under the prospect of perishing from famine or what is equally horrible by the effects of that discord naturally resulting from the dismal circumstances in which it found itself so unexpectedly placed. At length the eyes of the Acting Governor appear to have opened to a conviction that something must be done, and a proposal was accordingly made to those Settlers that such as chose to embrace the offer might obtain a free conveyance to the district of Albany, with rations at the expense of Government and grants of Lands in that part of the Colony.

Many accepted this offer, but I believe more on account of the promised rations than from an expectation of materially bettering their condition, in fact if my opinion be correctly formed of these unfortunate persons, they considered both the Government at Home and the Colonial to be, like themselves, acting under the most incorrect information respecting the capabilities of the lands that had been assigned for the Settlers. Some few despairing of any advantage to compensate for two long Land journeys with their families and Baggage, and a second Sea Voyage, declined the proposal of General Donkin, indulging a hope that when the multitude should have departed, some suitable provision would then be made for the Settlement of those that remained, a hope which they the more readily imbibed from having learned that there were at that time many pieces of good vacant Government Land unappropriated in this Western Quarter of the Colony, and I have heard and believe that within the last four years there have been so many Grants made of Government Lands on the recommendation of the local Authorities in this Subdistrict as would have afforded one separate place to each wretched Family that was sent to the Kleine Valley by the late Acting Governor, or rather as I have heard by Colonel Bird, for we were sent there during General Donkin's absence from Cape Town.

But to return to my subject, let us inquire what has been

the result of the expectations of the few Settlers that remained behind. This enquiry is solved by the present situation of the Valley. It is deserted by *all* save one family, a Mr. Shawe who altho' in possession of the whole is certainly not considered in thriving circumstances, on the contrary it is the prevailing opinion that he cannot long retain the place in consequence of a trifling yearly Rent, in the shape of Interest for Money advanced him by the Bank and by Colonel Bird, and a small annual payment to the Revd. F. McClelland and another Settler, being the only two except Mr. Shawe who have not relinquished their title to the Lands.

Perhaps this part of my Statement may be further and better illustrated by giving you some information as to my own particular share in this most unfortunate Speculation. I was one of those who thought proper to decline the alternative offered by General Donkin. I had brought out a Party of Ten families including my own. Four of these families volunteered, and departed for Albany, and for the maintenance of the other Six I was offered a Slice of the Western, and if it could only be irrigated certainly by far the best portion of the valley, of 600 English Acres, but which is utterly incompetent to the comfortable support of even a single family, as I could prove by the testimony of numerous and respectable witnesses if necessary. I wrote to Government therefore by the next post two separate Letters, one of which declined a Grant which in no respect realized the expectations held out to me in a personal Conversation at my Lord Bathurst's Office in Downing Street, or even those held out by the Government Circulars to the Settlers in general. The other Letter solicited at the request and on behalf of the distressed families which had accompanied me that the Colonial Government in consideration of their disappointment might be pleased to grant to them that portion which I had refused. This was complied with, but the Official Servants of Government seemed to hold that I have thereby given up all my right as a Settler, and therefore I am now treated as any common Burgher of the Colony in respect to Taxes and Services, a question which will speedily come to issue in the shape of an appeal to His Excellency the Governor, the result of which I shall think it necessary to submit for your consideration.

The families to whom I had thus procured the Land to be granted having made the trial, soon found it impossible to effect a permanent Settlement, and all (save one family) with permission of Government sold their right and abandoned the Valley. As for me I still continued without any provision, for altho' after a voluminous Correspondence with Government and experiencing the strongest opposition from the local magistrate, for no reason that I am aware of, unless it may be, because I always set my face against what I consider *partial* or *oppressive* conduct, I obtained in January last a promise from Government of certain vacant Lands in this neighbourhood, yet such obstacles are thrown in my way as render the ultimate confirmation of my Grant still extremely doubtful, and even if it should be confirmed, the Country Magistrates affect to consider it in a different light from a Grant to which I am entitled as a Settler, but I hope and believe His Excellency will be of a different opinion when my case comes regularly under his Excellency's gracious consideration.

Thus Gentlemen after a four years' residence in a strange Country, to which I brought the assurance of my revered Government that I should be comfortably settled, I have suffered so severely that poverty, debt and disgust are now the only remaining portion of a once somewhat respectable family.

It is true we had rations furnished us for a time, which certainly prolonged a miserable existence, but without enabling us to better our condition in any respect, and besides our miserable Lands are held responsible to Government for repayment of the costs of these Rations.

I hear a Commission has been sent to the District of Albany to enquire into the losses of the Settlers, but respecting me and others in this quarter enquiry seems to be deemed unnecessary; from the smallness of our numbers we perhaps have been overlooked.

In any observation that has fallen from me on this melancholy subject, I have aimed as much as possible candidly to state the truth in such plain language as I am alone capable of, but I would have it distinctly understood that I do not mean in any respect to insinuate anything in the least prejudicial to the character of Lord Charles's administration.

I believe His Excellency's intentions to be good, but unfortunately His Excellency is unacquainted with the conduct of our local Magistrate, and I must declare that I consider some other test of enquiry than that which the Justices on the late Commission of Circuit were pleased to permit, must take place before His Excellency can understand the System that is pursued at this Sub-Drostdy. It appears to every one extremely singular that Mr. Ingram was prevented from bringing forward much important evidence, a part of which I myself furnished him with, and it seems still more singular if his charges have proved to be false and calumnious, that he has been permitted to make them with impunity. My motive for writing thus may be mistaken, but I consider it a duty which I owe to my Sovereign and to my Country, and perform it regardless of consequences.

If you should be pleased to consider any further information on this subject necessary, I shall feel most happy in communicating it, to the best of my knowledge and ability, and I have &c.

(Signed) R. WOODCOCK.

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[Copy.]

*Evidence given by MR. D. J. VAN RYNEVELD to the  
COMMISSIONERS OF ENQUIRY.*

CAPE TOWN, 21st October 1824.

Do you conceive that the Kleyen Valley in the District of Clanwilliam contained 1700 acres of good arable Land that was capable of being irrigated, and if not, how much Land of that quality do you think it contained ?

Reply. I do not think to the best of my recollection that it contains much more than one half of that quantity of Arable Land, nor do I think the whole of that Land capable of being irrigated constantly through the whole year long.

Be so good as to examine the Statement enclosed, and say whether you think that it rightly represents the quantity of Land fit for cultivation in each of the respective Places referred to ?

Reply. When I was Deputy Landdrost there, I actually did not examine the Land with that attention as to enable me fully and accurately to answer this question. All the Land at Clanwilliam including the Drostdy which is situated in the valley is fit for Cultivation, so far as it can be watered ; respecting the Kleine or little Valley I cannot say anything more of it than what I have answered at Art. 1. I do not recollect where the great Partridge Valley and Varkens Valley are situated. I believe that the little Partridge valley contains fully 15 Morgen, but I do not think that there is sufficient water for the Cultivation of the whole yearly. I believe that there are fully 50 Morgen Carroo ground and it would be certainly fit for Cultivation if water could be brought upon it.

Is it your opinion that a Family could subsist upon 100 acres of such land, supposing that it had been susceptible of such Sub-division ?

Reply. If the whole could be irrigated I should think that a family may subsist upon such portion of Land, provided some pasture is attached to it for such Cattle as may be indispensably necessary.

Does the Supply of Water in the Kleine Valley continue during the Summer Season ?

Reply. I believe it does continue during the whole of the Summer Season, but whether it is *sufficient* to irrigate yearly the *whole extent* of the arable Lands I cannot state.

Was any and what portion of Jan Dissels Valley attached to the Drostdy of Clan William during the period in which you filled the Situation of Deputy Landdrost, and did you occupy that Land ?

Reply. When I was Deputy Landdrost the Drostdy was called Jan Dissels Valley, and included the whole place which I occupied.

What was the general opinion that was entertained by Persons in this part of the Country of the District called Jan Dissels Valley ?

Reply. There was an Opinion that if the water could be brought out of the Jan Dissels Valley on the Carroo flats, and constantly kept in repair, and the communication with the interior promoted by the improvement of the High Road leading towards it, a handsome village could then be formed

on that Spot, as there is never a deficiency of Water on the place itself.

Did you ever hear it termed Paradise ?

Reply. This I cannot recollect.

Did the Acting Governor Sir Rufane Donkin ever converse with you, or make inquiries of you, concerning the character and extent of the place, did he ever ask your opinion upon it, and when ?

Reply. I believe he once conversed with me on that subject, and as far as I can recollect this conversation took place when he visited the Fransche Hoek Kloof. I am however not quite certain, nor do I recollect the particulars of the conversation.

What was the average produce of wheat per Acre at Clanwilliam ?

Reply. I have never sown any Wheat there, but from the information I have obtained the common return is from 16 to 20 in such parts of the Valleys which are not brackish and may sufficiently be watered.

Do you think that the Farmers at Clan William ever brought their wheat to the Cape Market, and if so, how many days must they have consumed in the journey thither and back again ?

Reply. Sometimes (and then only a small quantity) when a Scarcity and dearth prevails in Town, and then the Journey to Town and from it is made in 16 or 17 days.

Are there many wealthy Persons inhabiting the Neighbourhood of Clan William, and how far distant is it from Saldanha Bay ?

Reply. A few of the middle Class, but none real wealthy. The distance to Saldanha Bay is I believe only two days shorter than that towards Cape Town, as from the difficulty of the Roads the Journey must be chiefly made in the months of August, September and October, and then the Ferry Boat laying across the Berg River at the Honigberg must be inevitably passed.

(Signed) D. J. VAN RYNEVELD.

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[Copy.]

*List of Perpetual Quitrent and Freehold Grants made by SIR  
R. S. DONKIN in the District of Albany.*

Date of Grant.	Name of the Grantee.	Extent of Grant.		
		Morgen.	Roods.	Feet.
Perpetual Quitrent Grants.				
1821.				
25 Jan.	Mr. John Goodwin . . . . .	286	341	-
	James Jones, Esqre. . . . .	250	-	-
22 Feb.	Captain Ogilvie Stuart . . . . .	1	200	-
"	Lieutenant A. B. Armstrong . . . . .	1	47	109
"	W. H. Rogers . . . . .	-	583	124
"	Captain R. S. Aitcheson . . . . .	-	396	126
19 March	William Lucas . . . . .	-	532 $\frac{1}{4}$	-
	Joseph Pitt . . . . .	-	438 $\frac{1}{4}$	-
10 July	Duncan Campbell, Esqre. . . . .	2996	160	-
18 July	M. G. Humphries . . . . .	-	440	90
8 Sept.	Lieutenant T. W. Yates . . . . .	-	565	84
18 Sept.	John Crichton . . . . .	26	280	-
9 Oct.	Major James Jones . . . . .	558	260	-
"	Captain Charles Trappes . . . . .	1237	330	-
"	Mr. George Pigot . . . . .	46	-	-
"	William Austin . . . . .	1002	-	-
23 Oct.	Captain Charles Trappes . . . . .	2138	208	-
20 Nov.	Mr. Henry Nourse . . . . .	1884	400	-
Freehold Grants.				
1820.				
15 Nov.	Earl Bathurst (since cancelled) . . . . .	2	284	80
"	do. do. . . . .	10	-	-
"	Christopher Bird, Esqre. . . . .	1	444	50
"	do. . . . .	10	-	-
"	Henry Ellis, Esqre. . . . .	1	510	29
"	do. . . . .	10	-	-
21 Nov.	Mr. George David Donkin (since cancelled) . . . . .	2	160	-
	do; do. . . . .	10	-	-
1821.				
22 Feb.	H. Tigman . . . . .	1	200	-
"	Mr. M. Adair . . . . .	1	75	-
"	Mr. W. L. Heathcote . . . . .	1	75	-
13 March	Gerrit van Rooyen, Cornelis son . . . . .	2000	-	-
19 March	Gerrit Lourens van Niekerk . . . . .	2000	-	-
"	Mr. Robert Johnstone . . . . .	-	411 $\frac{1}{4}$	-
16 July	Captain Henry Wilson . . . . .	-	222	108
"	Mr. A. Matthewson . . . . .	1	75	-
"	Pieter Retief . . . . .	1	87	86
"	Mrs. Elizabeth Cornfield . . . . .	1	158	48
"	Lieutenant T. W. Yates . . . . .	1	159	18
"	Mr. W. Smith . . . . .	1	212 $\frac{1}{2}$	-



*List of Perpetual Quitrent and Freehold Grants.—continued.*

Date of Grant.	Name of the Grantee.	Extent of Grant.		
		Morgen.	Roods.	Feet.
16 July	M. J. Onkruydt . . . . .	1	212 $\frac{1}{2}$	—
"	Captain A. O'Reilly . . . . .	1	212 $\frac{1}{2}$	—
19 July.	Captain M. J. Sparks . . . . .	—	416	39
25 Aug.	Lieutenant J. H. Rutherford . . . . .	1	138	3
"	Ensign Colin McKenzie . . . . .	1	87 $\frac{1}{2}$	—
"	Mr. David Polley Francis . . . . .	1	87 $\frac{1}{2}$	—
"	Lieutenant Alexander Logie . . . . .	1	87 $\frac{1}{2}$	—
"	Captain Peter Willatts . . . . .	1	75	—
"	Lieutenant W. F. Cartwright . . . . .	1	87 $\frac{1}{2}$	—
30 Aug.	George Scott . . . . .	—	478	24
"	Lieutenant Colonel T. Wilshire . . . . .	—	436	66
8 Sept.	Serjeant Major Alexander Macdonald . . . . .	—	367	102
"	The Officers 54th Regiment (since cancelled) . . . . .	—	240	90
"	Charles Stone . . . . .	—	318 $\frac{1}{2}$	—
"	Lieutenant J. P. Sparks . . . . .	—	381	36
"	Mr. J. R. Palm . . . . .	1	202	87
"	Henry Nourse . . . . .	—	589	54
"	D. O'Meara . . . . .	1	100	—
"	Ensign D. Maclean . . . . .	1	141	96
"	Lieutenant A. Chisholm . . . . .	1	121	126
"	Captain M. J. Sparks . . . . .	—	568 $\frac{1}{2}$	—
"	Captain Richard Birch . . . . .	1	162	17
9 Oct.	Mr. G. T. Bird . . . . .	—	478	13
16 Oct.	Captain Duncan Campbell . . . . .	1	—	—
"	Mr. Olof John Truter . . . . .	1	—	—
"	Mr. M. J. Onkruydt . . . . .	1	—	—
"	Johannes de Smidt . . . . .	1	—	—
"	Thomas Mahoney . . . . .	1	—	—
25 Oct.	Captain Duncan Campbell . . . . .	—	590	87
"	do. . . . .	—	512	16
27 Nov.	Sergeant John Grant . . . . .	1	212	50
"	Lieutenant Alexander Burnett . . . . .	1	212	50
"	Brigade Major A. A. O'Reilly . . . . .	2	77	36

Colonial Office, 22 October 1824.

(Signed) P. G. BRINK, Acting Colonial Secretary.

*List of Perpetual Quitrent and Freehold Grants made by LORD  
C. H. SOMERSET in the District of Albany from the 12th  
December 1821 to the date hereof.*

Date of Grant.	Name of the Grantee.	Extent of Grant.		
		Morgen.	Roods.	Feet.
1822.	Perpetual Quitrent Grants.			
15 Jan.	Joel Daniel Smuts, C. son . . . . .	2826	—	—
"	Captain Henry Somerset . . . . .	178	481	—
"	Mr. Miles Bowker . . . . .	1270	—	—
1 July	Captain Edwin Emmet . . . . .	1067	293	—
1823.				
1 March	Mr. John Goodwin . . . . .	139	37½	—
1 May	Harry Rivers, Esqre. . . . .	3106	—	—
1 July	Cornelis van Schalkwyk . . . . .	2940	520	—
"	Paul Lodewyk Zietsman . . . . .	1584	351	—
"	Isaac Zerke Buys . . . . .	2971	520	—
"	Johannes Cornelis Engelbrecht . . . . .	1442	355	—
"	Widow Broekhuizen and Children . . . . .	1097	380	—
"	Ockert Goosen . . . . .	2882	—	—
"	William Christian Bouwer . . . . .	2998	365	—
"	Cornelis van Rooyen, Dk. son . . . . .	1503	405	—
"	Peter Retief . . . . .	2986	277	—
"	do. . . . .	2658	8½	—
"	Louis Jacobus Nel . . . . .	3773	232	—
20 Nov.	Mr. Thomas Philipps . . . . .	1021	410	—
"	Miles Bowker . . . . .	513	196	—
"	James Richardson . . . . .	714½	—	—
"	George Smith . . . . .	1158½	—	—
"	John Mandy . . . . .	628	119	—
"	Thomas Mahony . . . . .	1564	—	—
"	Charles Mouncey . . . . .	602	52	—
"	George Pigot . . . . .	1828	388	—
"	George Dyason . . . . .	1448	—	—
"	John Carlisle . . . . .	634	130	—
"	Jonathan Wainwright . . . . .	604½	—	—
"	Edward Gardner . . . . .	862	132	—
"	Edward Ford . . . . .	1154½	—	—
"	Samuel James . . . . .	675½	—	—
"	Christopher Thornhill . . . . .	843	132	—
"	Richard Hayhurst . . . . .	604	260	—
"	William Howard . . . . .	804	376	—
"	William Scanlen . . . . .	960	—	—
"	James Greathead . . . . .	647	282	—
"	John Stanley . . . . .	541	255	—
"	William Smith . . . . .	2135	360	—
"	George Southey . . . . .	700	146	—
"	The Revd. J. Thomas Becker and Edward Smith Godfrey, Esqre. . . . .	2768	282	—
"	Mr. Charles Dalgairns . . . . .	882	450	—

*List of Perpetual Quitrent and Freehold Grants.—continued.*

Date of Grant.	Name of the Grantee.	Extent of Grant.		
		Morgen.	Roods.	Feet.
20 Nov.	Samuel Bradshaw . . . . .	993	286	—
"	Hezekiah Sephton . . . . .	5913	532	—
"	John Dixon . . . . .	890 $\frac{1}{2}$	—	—
"	Alexander Biggar . . . . .	909	468	—
1824.				
23 Jan.	Daniel Mills . . . . .	531	288	—
"	Benjamin Leech . . . . .	665	232	—
"	William Owen . . . . .	597 $\frac{1}{2}$	—	—
"	Samuel Liversage . . . . .	624	425	—
"	Arthur Barker . . . . .	572	500	—
"	Nathaniel Morgan . . . . .	628	450.	—
"	Thomas Philipps . . . . .	872 $\frac{1}{2}$	—	—
26 July	George Dyason . . . . .	6	281	57
16 Sept.	Robert Henry Rubidge . . . . .	900	—	—
1821.	Freehold Grants.			
12 Dec.	Lieutenant William Fitzgerald . . . . .	—	506	—
1822.				
27 Feb.	Captain C. E. Emett . . . . .	—	520	27
5 Dec.	John Jarman . . . . .	1	25	—
"	do. . . . .	—	431	30
"	Alexander Howison . . . . .	—	453	48
11 Dec.	Harry Rivers, Esqre. . . . .	1	181	3
"	do. . . . .	1	181	3
1823.				
1 May	Mr. Hugh Huntley . . . . .	1	115	89
"	do. . . . .	—	465	4 $\frac{1}{2}$
1 June	Walter Currie . . . . .	—	380	30
15 June	Dirk Willem van Rooyen, junior . . . . .	—	465	4 $\frac{1}{2}$
"	Dirk van Rooyen, senior . . . . .	—	465	4 $\frac{1}{2}$
"	Charles Lenox Stretch . . . . .	—	465	4 $\frac{1}{2}$
"	do. . . . .	—	465	4 $\frac{1}{2}$
"	John Biggs . . . . .	—	465	4 $\frac{1}{2}$
"	Peter Retief . . . . .	1	181	3
"	do. . . . .	1	181	3
"	do. . . . .	1	181	3
"	do. . . . .	1	181	3
"	do. . . . .	1	181	3
"	do. . . . .	1	181	3
"	Peter de Wet, senior . . . . .	1	181	3
"	William Abraham Bester . . . . .	—	465	4 $\frac{1}{2}$
"	John Jones . . . . .	—	465	4 $\frac{1}{2}$
"	Andrew Conway . . . . .	—	465	4 $\frac{1}{2}$
"	Captain Anthony Alexander O'Reilly. . . . .	—	465	4 $\frac{1}{2}$
"	James Edward Ford . . . . .	1	181	3

*List of Perpetual Quitrent and Freehold Grants.—continued.*

Date of Grant.	Name of the Grantee.	Extent of Grant.		
		Morgen.	Roods.	Feet.
15 July	Arend de Waal . . . . .	1	525	—
"	James Ward . . . . .	1	344	57
"	William Ogilvie . . . . .	—	551	36
"	Johan Godlieb Welgemoed . . . . .	1	525	—
"	John Rafferty . . . . .	—	520	—
"	Lieutenant J. Hope . . . . .	1	120	103
"	do. . . . .	1	241	28
"	Captain Duncan Campbell . . . . .	3	146	86
"	Brevet Major Sack. R. Taylor . . . . .	—	300	—
"	William Ebhart . . . . .	—	378	18
"	do. . . . .	—	334	44
"	Mr. Jacob Johannes le Sueur . . . . .	5	528	—
17 Sept.	Charles Trappes, Esqre . . . . .	—	—	82
25 Nov.	Mr. Henry Douglas Warden . . . . .	1	324	86
1824				
23 Jan.	Captain Pierce Lowen . . . . .	3	210	86
1 March	Walter Currie . . . . .	—	221	42
24 May	The Hon John Massey . . . . .	3	369	86
"	John Cecil Wright . . . . .	—	53	86
26 July	Captain William Cox . . . . .	1	79	—
"	Sergeant Major Price . . . . .	1	335	57
"	John McCalaghan . . . . .	—	24	44
"	James Cowie . . . . .	—	363	—
"	Richard Webb . . . . .	1	361	—
"	Mr. M. Bowker . . . . .	1	25	—
"	John Armstrong . . . . .	—	34	104
"	George Futter . . . . .	1½	—	—
"	Captain Ogilvie Stuart . . . . .	1	261	17
"	Dr. Andrew Smith . . . . .	2	267	51
"	Mr. William Austen . . . . .	1	27	122
"	Mr. George Pigot . . . . .	1	27	122
"	Mr. Thomas Pringle . . . . .	—	482½	—
"	Mr. J. J. Smith . . . . .	—	378	18
"	Mr. William Attwell . . . . .	—	24	44
"	Messrs. Aken and Monteath . . . . .	250	—	—
6 Oct.	Lieutenant W. L. Heathcote . . . . .	1	90	138

Colonial Office, 22nd October 1824.

(Signed) P. G. BRINK, Acting Colonial Secretary.

[Original.]

*Letter from MR. D. P. FRANCIS to R. WILMOT HORTON, ESQRE.*5 JEFFREYS STREET, KENTISH TOWN, *October 22nd 1824.*

SIR,—Having had the honor of submitting to the Commissioners of Inquiry at the Cape of Good Hope a variety of circumstances and cases respecting the Settlers and the new Settlement in Albany, as well as other matters relating to the affairs of that Colony, and conceiving that one of the evils which those Settlers who remain in the Zuureveldt will now have to contend with, (as well as the colony in general) will be the want of Labour, I took the opportunity after the return of the Commissioners from the Albany District to Cape Town to submit a brief opinion of what I conceived might be of some advantage and assistance to the Colony, but more particularly to the Midland and frontier Districts. On my interview with the Commissioners on this subject they expressed it as their opinion that Labour was wanting in the Colony, and requested me to submit some plan for its Introduction. I then consulted a Mr. Moodie (who took out the first English settlers to the Cape in 1817,) and his opinion coinciding with mine, we submitted an outline of a plan to the Commissioners.

For the furtherance of this Object, and to encourage the Introduction of free Labour, and to increase the quantity of exports by diminishing the expence of production, it was thought adviseable, “on consulting with the Commissioners” to submit a few resolutions to the Committee of the Society for the Relief of Distressed Settlers, that they might be induced to come to the same conclusion as ourselves, also to make them public in order to afford the respectable part of the Community an opportunity of expressing by their Signatures their accordance with its views and their inclination to support its object by taking young persons into their Services as apprentices and employing the Labour of such other Emigrants as might be useful to them. An article for this purpose was prepared and in the Press when I left the Colony (in July last) and it was intended to be brought forward at the General Meeting of the Society of the Settlers’ fund, which

was to take place the first week in August, after which the Commissioners intimated to Mr. Moodie and myself that they would sanction and report upon the subject to Lord Bathurst. I beg therefore to request the Honour of being informed if anything has yet arrived from the Commissioners relating to this business.

I take the liberty of this opportunity in mentioning that as I embarked to the Cape of Good Hope with Mr. Parker, I have had several Conversations with the Commissioners on the statements and affairs of that Gentleman, my being acquainted with every particular of his proceedings respecting his Emigration, as well before his leaving this Country as down to the period he left the Cape (in October 1822) and shall be happy to have the honour of affording you any information on that or any other subject relating to the Settlers in the Colony, whenever it may be convenient for you to permit me the honour of an interview. I have great pleasure in adding that the situation of the Settlers in the Zuureveldt is considered better than it has hitherto been. I have &c.

(Signed) D. P. FRANCIS.

P.S. I have taken the liberty of enclosing a Copy of the outline of the plan submitted to the Commissioners of Inquiry.

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[Office Copy.]

*Letter from* EARL BATHURST *to* LORD CHARLES SOMERSET.

DOWNING STREET, LONDON, 24th October 1824.

MY LORD,—I transmit to your Excellency herewith enclosed a copy of a communication which I have received from the Treasurer of the London Missionary Society, covering copies of a Memorial and of its enclosures from the Reverend Dr. Philip, Superintendent of the Missions of the London Missionary Society in South Africa, setting forth the claims of the Hottentots at Bethelsdorp to an extension of their Lands ; and as I collect from the answer which your Excellency directed to be

returned to the application made on behalf of the Hottentots by the Directing Missionary Kitchingman, that your Excellency had already contemplated to grant those lands to other applicants, I have to desire, that until I am enabled to signify to you His Majesty's Pleasure upon this subject, all such grants may be made conditional or liable to be resumed by the Crown if it be deemed expedient. I have &c.

(Signed) BATHURST.

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[Office Copy.]

*Letter from EARL BATHURST to LORD CHARLES SOMERSET.*

DOWNING STREET, LONDON, 25th October 1824.

MY LORD,—I have had the honor to receive your Excellency's dispatch of the 10th of May last in which you state the reasons which had induced you to prohibit the continuance of a Journal entitled the *South African Commercial Advertiser* and to order Mr. George Greig, the Editor of that Publication, to depart from the Settlement under your Government.

I likewise received by the same opportunity which conveyed to me your Excellency's dispatch a representation from Mr. Greig, of which I annex a copy for your information and for any observations and explanations which you may deem it expedient to transmit.

In order to enable His Majesty's Government to form a conclusive opinion on the merits of this case, I have to request that your Excellency will furnish me with a more explicit explanation of the circumstances which led to those proceedings than is to be found either in your dispatch or in the complainant's own Statement. And I desire to call your Excellency's special attention to a question of fact, which it is the more necessary fully to elucidate, as the allegations of the complainant upon that subject are directly at issue with your Excellency's representations.

It is stated by your Excellency that in the month of January last you had acceded to Mr. Greig's memorial for permission

to print a weekly Publication, under the conditions and restrictions proposed by him in his Memorial and Prospectus.

It is however alleged on the contrary by the complainant that the answer which he received to that Memorial under date of the 14th of August 1823, did not convey to him your Excellency's acquiescence in his request, and that in point of fact he received no answer to the application which he addressed to you in the month of December following, and in which he submitted to you the Prospectus of the Journal which appeared soon afterwards.

I desire therefore to be informed whether the answer which Mr. Greig states himself to have received under date of the 24th August 1823, in answer to his Memorial, has been correctly quoted by him, and if it be true that your Excellency did not in the first instance signify your acquiescence in his proposal, I am desirous of learning whether he did, as he alleges, renew his application in the month of December last without receiving an answer thereto, or whether no subsequent communication was made to him from which he might have inferred your Excellency's consent to his proposal of publishing a Weekly Journal.

I have further to express my desire that your Excellency will furnish me without delay with a copy of the opinion which was delivered to you by the Chief Justice upon the legality of the measure which you adopted of sealing up the Presses of Mr. Greig and of ordering him to quit the Colony.

I have &c.

(Signed) BATHURST.

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[Original.]

*Letter from LORD CHARLES SOMERSET to EARL BATHURST.*

CAPE OF GOOD HOPE, *October 25th 1824.*

MY LORD,—In consequence of the removal of the Reverend Wm. Geary from his Clerical appointments in this Colony, I have the honor to report to your Lordship that I have made



the following arrangement for the immediate performance of the duties of Chaplain at Graham's Town, until I shall be honored with Your Lordship's pleasure.

I have directed the Reverend Thomas Ireland, the Military Chaplain on this Station, to repair to Graham's Town and perform the duties of Civil and Military Chaplain there. In the mean time the duties of Military Chaplain to the Garrison of Cape Town have been undertaken by the Revd. Henry Collison, a Clergyman of respectability and good conduct, residing at this place with his Brother (who is one of the principal Merchants here) on account of the Climate.

By this arrangement no additional Expenditure will be thrown on the Public, Mr. Collison receiving the allowance formerly enjoyed by Mr. Geary as Military Chaplain at Graham's Town, and Mr. Ireland very handsomely making a considerable allowance out of his Military Pay (the garrison here being so much more numerous than at Graham's Town) to render Mr. Collison's remuneration equal to £200 Sterling per annum.

This arrangement is extremely creditable to Mr. Ireland, whose conduct since he has been on this Station had gained him the esteem of every respectable Person. He is a discreet, unassuming, well conducted Man, preaches good plain Sense and Moral Doctrine to the Congregation, and is a warm, sincere and staunch adherent to the Established Church of England. I have &c.

(Signed) CHARLES HENRY SOMERSET.

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[Original.]

*Letter from LORD CHARLES SOMERSET to EARL BATHURST.*

CAPE OF GOOD HOPE, *October 25th 1824.*

MY LORD,—In obedience to His Majesty's Commands conveyed to me in Your Lordship's Dispatch bearing date the 31st December last, marked Circular, I have the honor to transmit to Your Lordship a List of the Offices to which the Governor of the Cape of Good Hope for the time being has hitherto appointed.

I have noticed the point to which Your Lordship has directed my attention, and I shall not fail to report to Your Lordship all Vacancies in the Civil Establishment of the Colony immediately as they occur. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Enclosure in the above.]

*List of Offices to which it has been usual for the Governor of the Cape of Good Hope for the time being to appoint Individuals residing in the Colony, shewing the dates of the several appointments.*

Situation.	Name of the Individual.	Date of present Appointment.	£ Sterling.	Rixdollar.
The Governor's Household.				
Private Secretary to the Governor	Captain Charles Henry Somerset.	1 December 1816	500	—
Colonial Aide de Camp to the Governor	Brevet Major Edward Molesworth	3 December 1823	10s. per diem	—
Do:	Wm. R. Whiteford, Esqre.	10 May 1822	10s. per diem	—
Physician	J. Barry, Esqre., M.D.	7 December 1817	—	600
Colonial Office.				
Assistant Secretary	P. G. Brink, Esqre.	10 September 1819	—	3,000
Translator to Government	Ch. D'Escury, Esqre.	1 December 1813	—	1,400
Head Clerk	Mr. S. V. Cloete	16 May 1815	—	1,500
Second do:	Mr. J. G. Brink	1 February 1813	—	1,000
Third do:	Mr. G. D. Baumgard.	1 September 1814	—	900
Fourth do:	Mr. A. C. de Smidt	1 June 1815	—	700
Fifth do:	Mr. C. M. Zastron	23 August 1820	—	700
Sixth do:	Mr. J. A. le Sueur	1 August 1821	—	700
Seventh do:	Mr. H. Tennant	1 October 1821	—	700
Eighth do:	Mr. P. Watney	1 January 1823	—	500
Ninth do:	Mr. P. Korsten	14 August 1823	—	500
Tenth do:	Mr. F. J. Freislich	1 January 1824	—	500
Eleventh do:	Mr. J. Trueman	1 January 1824	—	500
Twelfth do:	Mr. E. F. S. Gie	1 January 1824	—	500

Accountant	•	•	Mr. F. S. Watermeyer	•	4 January 1822	1,200
First Messenger	•	•	Jacob Tier	•	30 January 1807	500
Second do.	•	•	Anth. Jonker	•	15 November 1809	500
Third do.	•	•	Th. Allen	•	28 February 1821	480
Bookbinder	•	•	B. de Roos	•	1 October 1810	600
<b>Court of Appeals.</b>						
Assessor in Civil Cases	•	•	George Kekewich, Esqre.	•	7 June 1810	—
do.	•	•	W. Wilberforce Bird, Esqre.	•	29 November 1822	300
Secretary to the Court	•	•	Thomas Rowles, Esqre.	•	29 May 1807	480
Head Clerk	•	•	Mr. J. P. Serrurier	•	1 August 1808	1,200
Second do.	•	•	Mr. A. J. van Breda	•	1 May 1815	700
Third do.	•	•	Mr. P. H. Ley	•	1 August 1821	400
Fourth do.	•	•	J. C. Schikkerling	•	1 March 1824	240
Messenger	•	•	Anth. Jonker	•	1 February 1819	300
<b>Court of Justice.</b>						
Chief Justice	•	•	Sir John A. Truter, Knight	•	26 August 1812	9,000
First Member	•	•	W. Hiddingh, Esqre., LL.D.	•	3 April 1806	4,250
Second do.	•	•	W. Bentinck, Esqre., LL.D.	•	6 August 1814	4,250
Third do.	•	•	J. H. Neethling, Esqre., LL.D.	•	24 February 1815	4,250
Fourth do.	•	•	F. R. Bresler, Esqre.	•	25 March 1815	4,250
Fifth do.	•	•	J. P. Fleck, Esqre.	•	25 August 1817	4,250
Sixth do.	•	•	P. J. Truter, Esqre.	•	10 April 1819	4,250
Seventh do.	•	•	P. B. Borchers, Esqre.	•	21 February 1823	4,250
Eighth do.	•	•	R. Rogerson, Esqre.	•	31 October 1823	4,250
Secretary	•	•	D. F. Berrange, Esqre., LL.D.	•	19 February 1819	6,000
English Assistant to Secretary	•	•	H. Murphy, Esqre.	•	13 September 1814	3,000
Deputy to English Assistant	•	•	Mr. A. G. Muller	•	2 February 1819	300
First Head Clerk	•	•	Mr. J. T. Jurgens	•	28 June 1821	2,000
Second do.	•	•	Mr. R. J. van der Riet	•	28 June 1821	1,100

## List of Offices.—continued.

Situation.	Name of the Individual.	Date of present Appointment.	Salary.	
			£ Sterling.	Rixdollars.
Third Head Clerk	Mr. Egbertus Bergh, Olof's son	28 June 1821	—	900
First Ordinary Clerk	Mr. A. G. Muller	9 April 1813	—	700
Second do.	Mr. W. J. Smuts	4 January 1821	—	700
Third do.	Mr. G. G. Bresler	26 August 1817	—	550
Fourth do.	Mr. F. W. Alleman	28 June 1821	—	550
First Supernumerary Clerk	Mr. A. J. L. Plouvier	28 June 1821	—	500
Second do.	Mr. P. Roux	10 October 1823	—	250
Third do.	Mr. J. van Schoor	10 October 1823	—	200
First Messenger	Carl Zervogel	In 1793	—	750
Second do.	J. Jacobsen	21 February 1821	—	750
Third do.	G. H. Nyhoff	3 October 1821	—	750
Fourth do.	J. A. Soetsman	3 October 1821	—	750
Deputy Physician and Surgeon	Vacant	—	—	250
	Ludwig Liesching, Esqre.	1 January 1818	—	1,000
Fiscal's Department.				
His Majesty's Fiscal	D. Denysen, Esqre., LL.D.	28 August 1812	—	11,500
Deputy do.	J. J. Lind, Esqre., LL.D.	15 August 1817	—	3,000
Second do.	W. G. van Ryneveld, Esqre.	21 February 1823	—	3,000
Chief Clerk	Mr. P. Aurét	1 October 1812	—	1,100
Second do.	Mr. F. W. de Wet	1 February 1815	—	750
Third do.	Mr. M. J. Borchards	1 September 1817	—	650
Fourth do.	Mr. J. J. Itzen	1 August 1821	—	650
First Under Sheriff	Nicolaas Bamberger	22 July 1820	—	840
Second do.	Wm. Mills	1 June 1822	—	600
Third do.	W. Stilwell	1 January 1823	—	700

Fourth do.	W. Thorp	15 September 1823	660
Bookkeeper in the Town Prison	D. van Steuinen	1 January 1822	600
28 Policemen, each	—	—	420
Chief Executioner	Jan Casper	26 April 1820	1,200
Three Assistant Executioners, each	—	—	72
Wagon Master	Wm. Mills	1 June 1822	600
Auditor General's Department.			
Chief Clerk	Mr. Ant. Lehman	16 May 1811	1,200
Second do.	Mr. H. F. Höhne	23 March 1819	700
Third do.	Mr. M. A. Armstrong	2 October 1822	600
Receiver General's Department.			
Receiver General	J. W. Stoll, Esqre.	9 March 1819	4,000
First Assistant	Mr. Hendrik Cloete	9 March 1819	1,200
Second do.	J. Horne, Esqre.	7 November 1823	900
First Clerk	Mr. W. J. Hoath	8 July 1823	700
Second do.	Mr. J. J. Azerond	8 July 1823	600
Colonial Paymaster's Department.			
Clerk	Mr. J. de Kock, Junior	7 February 1821	500
Stamp Office.			
Collector	Mr. S. V. Cloete	6 May 1814	800
Lombard and Discount Bank.			
First Director	A. V. Bergh, Esqre.	In 1795	2,100
Second do.	G. F. Maasdorp, Esqre.	10 March 1815	2,100

## List of Offices.—continued.

Situation.	Name of the Individual.	Date of present Appointment.	Salary.	
			£ Sterling.	Rixdollars.
Bookkeeper to the Lombard Bank	Mr. J. C. Gie . . . . .	2 July 1819	—	2,100
Cashier to do.	Mr. J. H. Frauenfelder . . . . .	17 April 1815	—	2,000
Clerk . . . . .	Mr. Geo. F. Lehman . . . . .	27 January 1820	—	600
Cashier to the Discount Bank	Mr. Robert Crozier . . . . .	1 September 1808	—	3,000
Accountant to do.	Mr. Adam G. de Smidt . . . . .	6 January 1820	—	900
Assistant Accountant . . . . .	Mr. J. D. Overbeek . . . . .	6 January 1820	—	800
Clerk . . . . .	Mr. Ryk Johannes Loedolf . . . . .	27 January 1820	—	600
Messenger . . . . .	Carl Meyer . . . . .	In 1811	—	480
His Majesty's Custom House.				
Warehouse Keeper . . . . .	Joseph Hare, Esqre. . . . .	1 February 1820	—	1,800
Chief Clerk to Collector . . . . .	Mr. W. de Kock . . . . .	20 February 1819	—	1,200
Second do. do. . . . .	Mr. J. Murdock . . . . .	1 April 1816	—	900
Chief Clerk to Comptroller . . . . .	Mr. J. Schultz . . . . .	16 February 1822	—	1,200
Second do. do. . . . .	Mr. H. R. Horne . . . . .	16 February 1822	—	900
Clerk to Searcher . . . . .	Mr. H. A. Truter . . . . .	15 September 1812	—	1,200
Tide Surveyor . . . . .	Mr. Wm. Bridekirk . . . . .	1 January 1810	—	240
Tide Waiter . . . . .	Mr. P. F. Petrie . . . . .	March 1812	—	720
do. do. . . . .	Mr. Edward Miller . . . . .	1 April 1813	—	720
do. do. . . . .	Mr. J. Taytasae . . . . .	27 April 1815	—	720
do. do. . . . .	Mr. Edward Dodd . . . . .	1 July 1819	—	720
do. do. . . . .	Mr. A. A. Walker . . . . .	1 November 1820	—	720
Messenger . . . . .	Matt. van den Berg . . . . .	1 February 1814	—	360
Collector in Simons Town . . . . .	Francis Dashwood, Esqre. . . . .	9 April 1819	700	—
Comptroller in Simons Town . . . . .	W. Wilberforce Bird, Esqre. . . . .	4 September 1818	—	2,000
Chief Clerk and Storekeeper . . . . .	Mr. William Anderson . . . . .	8 July 1819	—	1,000

Comptroller's Clerk and Tidewater	Mr. J. P. Kirsten	.	.	10 November 1820	720
Tidewater	Mr. T. Alley	.	.	10 November 1823	720
Resident Officer at Port Elizabeth	Mr. Wm. Dunn	.	.	1 October 1821	1,000
do. at the Kowie	Mr. T. F. Cowderoy	.	.	4 April 1823	1,000
do. at the Knysna	Mr. R. W. Evans	.	.	10 January 1824	1,000
Wharf Department.					
Wharfmaster	J. M. Horak, Esqre.	.	.	7 November 1823	3,500
First Clerk	Mr. G. Murdock	.	.	1 January 1824	720
Second do.	Mr. M. Henderson	.	.	29 January 1822	720
Wharfmaster and Storekeeper at Simons Town	Mr. G. Sturt	.	.	9 April 1824	720
Vendue Department.					
Joint Commissaries	C. A. Fitzroy, Esqre.	.	.	16 April 1824	5,000
Assistant Commissary	E. A. Buyskes, Esqre.	.	.	16 April 1824	5,000
First Sworn Clerk	Mr. D. F. Lehman	.	.	16 April 1824	900
Second do.	Mr. A. T. Neser	.	.	6 December 1816	900
Third do.	Mr. J. Ley	.	.	6 December 1816	700
Fourth do.	Mr. N. J. Ley	.	.	2 July 1817	700
Fifth do.	Mr. A. H. Hofmeyr	.	.	3 November 1818	500
Sixth do.	Mr. D. Nieser	.	.	10 May 1821	500
Ordinary Clerk at Simons Town	Mr. P. Kirsten	.	.	6 December 1816	480
do.	Mr. R. S. Alleman	.	.	7 December 1818	480
First Sworn Auctioneer	Mr. J. J. Louw	.	.	10 September 1821	480
Second do.	Mr. Hendrik Edemans	.	.	6 December 1816	—
Third do.	Mr. N. Tyrholm	.	.	6 December 1816	—
Fourth do.	Mr. J. Blore	.	.	16 July 1819	—
Messenger	Mr. M. Wolff	.	.	—	—
	F. Schouwkerk	.	.	6 December 1816	150



## List of Offices.—continued.

Situation.	Name of the Individual.	Date of present Appointment.	Salary.	
			£ Sterling.	Rixdollars.
Collector of Tithes, Transfers, &c.				
Collector . . . . .	W. J. Klerck, Esqre. . . . .	6 February 1815 . . . . .	—	3,000
Bookkeeper . . . . .	Mr. John Humphreys . . . . .	10 September 1817 . . . . .	—	600
Clerk . . . . .	Mr. J. F. Dreyer . . . . .	12 June 1819 . . . . .	—	500
Collecting Clerk at the Town Market . . . . .	Mr. H. V. Siest . . . . .	1 April 1823 . . . . .	—	600
Assistant do. . . . .	Mr. Alex. Hutchinson . . . . .	1 July 1817 . . . . .	—	300
Assistant do. . . . .	Mr. A. T. Walburg . . . . .	1 December 1820 . . . . .	—	300
Assistant do: . . . . .	Mr. R. Hopley . . . . .	21 August 1823 . . . . .	—	300
Collecting Clerk at Simons Town . . . . .	Mr. P. J. Arendsee . . . . .	1 April 1817 . . . . .	—	300
Land Revenue Office.				
Receiver . . . . .	J. H. Brand, Esqre. . . . .	7 November 1823 . . . . .	—	3,700
Assistant Receiver . . . . .	Mr. A. de Smidt . . . . .	20 June 1823 . . . . .	—	1,000
First Clerk . . . . .	Mr. H. H. Loedolf . . . . .	20 June 1823 . . . . .	—	600
Second do. . . . .	Mr. J. Ekhardt . . . . .	20 June 1823 . . . . .	—	600
Messenger . . . . .	D. Davidson . . . . .	1 April 1824 . . . . .	—	240
Sequestrator's Department.				
Sequestrator . . . . .	R. J. van der Riet, Esqre. . . . .	4 December 1818 . . . . .	—	4,000
Assistant Sequestrator . . . . .	Mr. D. F. Lehman . . . . .	4 December 1818 . . . . .	—	1,200
Head Clerk . . . . .	Mr. J. van Ryneveld . . . . .	15 October 1819 . . . . .	—	1,100
Bookkeeper . . . . .	Mr. W. F. Bergh . . . . .	20 November 1819 . . . . .	—	900
Clerk . . . . .	Mr. J. E. Mestaer . . . . .	1 January 1822 . . . . .	—	750
Vendue Clerk . . . . .	Mr. A. Lind . . . . .	20 August 1823 . . . . .	—	750

Clerk	Mr. J. C. Lehman . . .	6 May 1824	—	600
Auctioneer and Messenger	Mr. H. A. Smit . . .	1 July 1819	—	1,500
Second Messenger	Mr. C. H. Heyn . . .	10 December 1823	—	610
Printing Department.				
Superintendent . . .	Mr. A. Richert, Senior	1 August 1821	—	1,200
Bookkeeper . . .	Mr. J. G. Brink . . .	10 September 1819	—	500
Printer and Corrector of the Dutch	Mr. Joh. Richert . . .	1 August 1821	—	1,200
First Compositor . . .	Mr. B. J. van de Sandt	1 August 1821	—	840
Second do. and Corrector of the English	Mr. Wm. Bridekirk . . .	1 August 1821	—	720
Third do. . .	Mr. A. Richert, Junior	1 August 1821	—	720
Fourth do. . .	Mr. Thomas Hammond	1 August 1821	—	600
Fifth do. . .	Mr. P. McDougall . . .	1 December 1821	—	600
Pressman . . .	Mr. John Eckley . . .	20 May 1824	—	1,200
Messenger . . .	A. de Waal . . .	20 May 1824	—	240
Apprentices for five years . . .	P. H. Schonegevel . . .	24 March 1824	—	144
Editor . . .	W. Lotter . . .	24 March 1824	—	144
Amanuensis to Editor . . .	W. Hayward, Esqre. . .	6 April 1824	—	1,200
	Mr. F. Ross . . .	1 February 1822	—	300
Port Office.				
Port Captain of Table Bay . . .	Charles Blair, Esqre. . .	In 1809	500	—
Deputy Port Captain of Table Bay	Mr. W. Bridekirk, Senior	8 January 1806	—	1,260
Officer of Health . . .	W. H. Lys, Esqre. . .	—	—	1,200
Coxswain . . .	Peter Follet . . .	—	—	480
Two European Sailors . . .	Matt. Bergh . . .	—	—	420
	John Bathes . . .	—	—	420
Five Lascars, each . . .	—	—	—	360
Port Captain of Simons Bay . . .	Lieut. R. Weatherley, R.N.	17 February 1821	—	2,000
Officer of Health . . .	Mr. S. J. Swayne . . .	3 March 1822	—	300

## List of Offices—continued.

Situation.	Name of the Individual.	Date of present Appointment.	Salary.	
			£ Sterling.	Rixdollars.
Coxswain . . . . .	—	—	—	480
Six Seamen, each . . . . .	—	—	—	360
Crews of the several Government Vessels.				
Master of the Brig <i>Locust</i> . . . . .	Mr. G. Saunders	—	—	3,000
First Mate . . . . .	Mr. Richard Simpson	—	—	1,020
Second Mate . . . . .	Mr. C. Wilson	—	—	480
Carpenter . . . . .	Robert Dove	—	—	600
Steward . . . . .	J. Emons	—	—	480
Cook . . . . .	Th. Francis	—	—	420
Nine Seamen, each . . . . .	—	—	—	360
Master of the Sloop <i>Buckbay Packet</i>	Mr. J. F. Schultz	—	—	660
Mate . . . . .	Mr. Robert Crooke	—	—	456
One Seaman . . . . .	John Soonshies	—	—	360
One Apprentice . . . . .	—	—	—	120
Master of the Schooner <i>Bridekirk</i>	Mr. W. Cunningham	—	—	1,440
Mate . . . . .	Mr. Helloun	—	—	540
One Seaman . . . . .	T. Nisbett	—	—	360
One Apprentice . . . . .	T. Crick	—	—	360
Post Office General				
Postmaster General . . . . .	Robert Crozier, Esqre.	21 November 1815	—	5,000
First Clerk . . . . .	Mr. T. J. Clack	20 February 1824	—	1,200
Second do. . . . .	Mr. H. Hanson	1 May 1822	—	1,200

Postmaster at Simons Town	Mr. J. F. Goodwin	12 March 1823	500
do. at Stellenbosch	Mrs. C. Caldwell	9 May 1808	500
do. at the Paarl	Mrs. A. Wrangmore	27 September 1816	500
do. at Uitenhage	Mrs. Alcock	19 March 1823	600
do. at Worcester	Mr. C. Scholtz	10 November 1822	300
do. at Clanwilliam	Mr. A. V. Bergh	18 October 1820	300
do. at Tulbagh	Mr. W. B. Vos	7 November 1822	300
do. at Swellendam	Mr. Wm. Thompson	1 October 1819	300
do. at Caledon	Mrs. Bergman	1 October 1823	300
do. at George	Mr. J. F. du Toit	1 October 1816	300
do. at Graaff Reinet	Mr. H. Hudson	1 July 1823	300
do. at Beaufort	Mr. G. Taute	14 March 1822	300
do. at Cradock	Mr. A. J. van Dyk	1 January 1822	300
do. at Port Elizabeth	Mr. Wm. Dunn	29 January 1822	300
do. at Bathurst	Mr. I. Dyason	1 July 1823	300
do. at Grahams Town	Mr. Geo. Dyason	6 June 1823	600
do. at Somerset	Mr. H. R. de Vos	29 May 1823	100
do. at the Kowie	Mr. J. F. Cowderoy	6 June 1823	300
First Letter Carrier	—	—	600
Second do.	—	—	570
Third do.	—	—	540
One Post Orderly	H. Fell	1 April 1824	430
Wine Taster's Office.			
Wine-taster	Joseph Hare, Esqre.	7 November 1823	3,000
Examiner and Gauger of Casks	Mr. J. B. Willenberg	28 August 1821	1,500
Bookkeeper	Mr. J. A. de Wet	10 October 1823	700
Orphan Board.			
President	Sir J. A. Truter, Knight, LL.D.	28 August 1812	4,000
Vice President	A. V. Bergh, Esqre	15 November 1823	1,500

## List of Offices—continued.

Situation.	Name of the Individual.	Date of present Appointment.	Salary.	
			£ Sterling.	Rixdollars.
Member	A. J. van Breda, Esqre.	28 March 1803	—	1,000
do.	G. S. Overbeek, Esqre.	3 April 1806	—	1,000
do.	J. F. Munnik, Esqre.	7 June 1817	—	1,000
do.	Daniel Kuys, Esqre.	15 November 1823	—	1,000
Secretary	J. J. L. Smuts, Esqre.	31 March 1820	—	5,500
Bookkeeper	G. A. Watermeyer, Esqre.	14 May 1798	—	4,000
Head Clerk	Mr. Jan Serrurier	14 March 1821	—	1,000
Second do.	Mr. K. N. van Breda	3 March 1813	—	650
Third do.	Mr. J. A. Munnik	5 September 1813	—	650
Fourth do.	Mr. P. J. de Wet	28 March 1821	—	600
Fifth do.	Mr. F. G. Myburgh	16 January 1922	—	600
Auctioneer and Messenger	Mr. T. R. Welch	2 March 1820	—	1,500
Second Messenger	J. Hallier	1 July 1823	—	240
Colonial Medical Board.				
Inspector	J. Barry, Esqre., M.D.	18 March 1822	—	2,400
Secretary	Mr. T. K. Deane	3 April 1822	—	500
Instructor of Midwifery	J. H. F. C. Wehr, Esqre.	1 November 1810	—	500
Vaccine Institution.				
Senior Member	W. F. Lys, Esqre.	23 April 1811	—	1,200
Second do.	J. Barry, Esqre., M.D.	7 December 1817	—	1,200
Secretary	Mr. T. K. Deane	23 April 1811	—	500

Government Slave Lodge.						
Director	Mr. W. H. Baulcomb	.	.	1 March 1820	—	1,800
Porter	James Goodwin	.	.	4 November 1823	—	192
Overseer	A. Netherlands	.	.	1 September 1786	—	192
do.	J. M. Berthold	.	.	4 October 1795	—	192
do.	Geo. Welsh	.	.	16 December 1813	—	192
Schoolmaster	A. van Hogenberg	.	.	1 March 1813	—	96
English Schoolmaster for the Children	Wm. Vawser	.	.	24 October 1817	—	600
English Schoolmistress for the Children	Haana M. Vawser	.	.	1 January 1822	—	200
Surgeon	W. H. Lya, Esqre.	.	.	1 July 1813	—	1,500
Department for the Enregisterment of Slaves.						
Inspector	G. L. Rogers, Esqre.	.	.	26 April 1816	—	5,000
Assistant Inspector	Mr. Wm. Smith	.	.	20 February 1824	—	2,000
Chief Clerk	Mr. G. M. Paine	.	.	2 May 1823	—	750
Second do.	Mr. J. Gunn	.	.	2 May 1823	—	600
Third do.	Mr. A. Berrangé	.	.	2 May 1823	—	600
Fourth do.	Mr. G. M. Brunett	.	.	4 April 1823	—	600
Fifth do.	Mr. B. J. G. de la Bat	.	.	2 May 1823	—	600
Messenger	W. Brown	.	.	1 April 1824	—	360
Functionary of the Department at Simons Town	Mr. C. M. Lind	.	.	25 January 1822	—	500
Office of the Inspector of Lands and Woods.						
Inspector	Charles D'Escury, Esqre.	.	.	5 April 1814	—	5,000
Clerk	Mr. Wm. de Smidt	.	.	18 October 1820	—	600
Overseer of Woods	Mr. S. Oliver	.	.	26 January 1809	—	360

*List of Offices—continued.*

Situation.	Name of the Individual.	Date of present Appointment.	Salary.	
			£ Sterling.	Rixdollars.
Inspector of Government Buildings	Mr. Wm. Jones .	5 January 1822	—	2,500
Sworn Surveyor to Government .	Mr. Johan Knobel .	22 March 1822	—	2,500
Overseer of the Public Offices .	Jacob Tier .	1 January 1816	—	300
Government Gardeners, &c.				
Superintendent . . . . .	Mr. Robert Buchanan .	16 May 1824	—	720
Clerk of the Works at Newlands .	Mr. J. Barry .	1 January 1823	—	480
Gardener . . . . .	R. Jones .	1 January 1823	—	600
Overseer at Camp's Bay . . .	Allan Lowrie .	1 December 1823	—	480
Messenger at Government House .	J. Shipley .	1 January 1822	—	—
Clerical Establishment.				
Chaplain English Episcopal Church of Cape Town	Revd. George Hough, M.A.	21 February 1817	700	—
Clerk do.	Robert Norman .	1 January 1822	—	300
Sexton do.	Petrus Johannes Keeve .	1 January 1814	—	350
Organist do.	Mr. James Gregory .	13 June 1823	—	400
Bellringer do.	J. C. Eerlich .	1 January 1824	—	50
Chaplain English Episcopal Church at Wynberg	Vacant .	—	—	1,000
Clerk do.	Wm. Twist .	12 August 1821	—	150
Sexton do.	M. Butler .	18 September 1822	—	150
Bellringer do.	Wm. Twist .	12 August 1821	—	100
Schoolmaster do.	J. Bolston .	25 October 1823	—	600

Schoolmistress	do.	S. Bolston	1 January 1824	200
Chaplain English Episcopal Church at Simons Town		Revd. G. W. Sturt, B.A.	13 October 1819	350
Clerk	do.	George Clark	1 July 1823	150
Sexton	do.	George Clark	do.	150
Bellringer	do.	George Clark	do.	100
Chaplain English Episcopal Church at Grahams Town		Revd. W. Geary	10 August 1822	350
Clerk	do.	Wm. Howard	6 April 1823	150
Schoolmaster	do.	Wm. Howard	10 July 1823	600
Sexton	do.	J. M. Cromhout	11 September 1822	150
Bellringer	do.	J. M. Cromhout	6 April 1823	100
Minister English Episcopal Church at Clan William		Revd. F. W. McClelland	1 May 1820	2,000
Minister English Episcopal Church at Bathurst		Revd. W. Boardman	19 November 1819	2,000
Clerk	do.	Vacant	—	—
Minister English Presbyterian Church at Bathurst		Revd. Wm. Shaw	2 May 1820	1,000
Political Commissioner Dutch Calvinistic Church at Cape Town		P. J. Truter, Esqre.	1 March 1815	1,500
First Clergyman	do.	Revd. J. H. von Manger	1 February 1802	3,650
Second	do.	Revd. J. C. Berrangé	6 June 1817	3,450
Third	do.	Revd. A. Faure	5 July 1822	2,500
First Church Clerk	do.	J. Deeters	4 June 1821	616½
Second	do.	C. B. Schuitemaker	4 June 1821	286½
Organist	do.	F. C. Grondeler	6 April 1818	300
Sexton	do.	P. J. Keeve	23 June 1789	234
Minister Dutch Lutheran Church in Cape Town		Revd. F. R. Kaufmann	12 September 1816	183
Minister Dutch Calvinistic Church at Zwartland		Revd. J. Scholtz	28 February 1811	2,000
Church Clerk and Schoolmaster		E. F. F. de Roubaix	18 July 1821	400



*List of Offices—continued.*

Situation.	Name of the Individual.	Date of present Appointment.	Salary.	
			£ Sterling	Rixdollars.
Minister Dutch Calvinistic Church at Stellenbosch	Rev. M. Borchards . . .	19 September 1786	—	2,000
Church Clerk do.	J. J. Scholtz . . .	7 April 1809	—	199
Minister Dutch Calvinistic Church at the Paarl	Rev. J. Herold . . .	1 July 1823	—	2,000
Church Clerk do.	P. de Ronbaix . . .	1 January 1814	—	240
Minister Dutch Calvinistic Church at Somerset	Rev. J. Spyker . . .	1 July 1823	—	2,000
Church Clerk do.	J. R. Mosterd . . .	1 July 1823	—	177½
Minister Dutch Calvinistic Church at Swellendam	Rev. C. Mol . . .	1 July 1823	—	2,000
Church Clerk do.	C. Paulsen . . .	1 October 1820	—	177½
Minister Dutch Calvinistic Church at Caledon	Rev. Geo. Thom . . .	13 November 1818	—	2,000
Church Clerk do.	Dirk de Vos . . .	19 December 1814	—	177½
Minister Dutch Calvinistic Church at Graaff Reinet	Rev. Andrew Murray . . .	6 July 1822	—	2,000
Church Clerk do.	A. van Lingen . . .	1 July 1812	—	177½
Minister Dutch Calvinistic Church at Cradock	Rev. John Taylor . . .	5 December 1823	—	2,000
Church Clerk do.	J. Aldrich . . .	1 January 1823	—	177½
Minister Dutch Calvinistic Church at Beaufort	Vacant . . .	—	—	—
Church Clerk do.	A. J. de Villiers . . .	10 May 1819	—	177½
Minister Dutch Calvinistic Church at Uitenhage	Rev. A. Smith . . .	21 September 1823	—	2,000
Church Clerk do.	Vacant . . .	—	—	—

Minister Dutch Calvinistic Church at Tulbagh	Rev. J. J. Kieherer . . .	1 January 1806	—	2,000
Church Clerk and Schoolmaster . .	Cornelis de Kock, Senior	2 September 1817	—	400
Minister Dutch Calvinistic Church at George Town	Vacant . . .	—	—	—
Church Clerk do.	R. van Beck . . .	4 October 1817	—	177½
Public Teachers.				
Schoolmasters for instructing Slaves in the Christian Doctrine	Mr. J. Deeters . . .	1 July 1816	—	240
Schoolmaster of the Free School at Simons Town	Mr. J. Suasso de Lima . . .	1 April 1823	—	240
English Teacher at Stellenbosch . .	Mr. Geo. Clarke . . .	1 June 1823	—	300
do. Uitenhage . . .	Mr. A. Brown . . .	2 July 1822	85	—
do. Graaff Reinet . . .	Mr. J. Rose Innes . . .	do.	100	—
do. George Town . . .	Mr. W. Robertson . . .	do.	85	—
do. Tulbagh . . .	Mr. W. Dawson . . .	do.	80	—
do. Caledon . . .	Mr. J. Ratray . . .	do.	80	—
do. Swellendam . . .	Mr. R. Blair . . .	do.	65	—
do. Pearl . . .	Mr. E. Arnold . . .	27 June 1823	100	—
	Mr. J. Reid . . .	1 August 1823	100	—
Residency Simons Town.				
Resident . . .	Lieut. Col. H. M. Scott . . .	1 October 1823	—	3,000
Secretary . . .	John Goodwin, Esqre. . .	25 January 1822	—	1,000
Clerk . . .	Mr. P. Kirsten . . .	1 January 1818	—	420
Messenger . . .	R. van der Schyff . . .	1 January 1820	—	240
Under Sheriff . . .	R. van der Schyff . . .	do.	—	260
Five Constables, each . . .	—	—	—	420
Three Justice Caffers, each . . .	—	—	—	80
District Surgeon . . .	Mr. H. S. Stuart . . .	3 March 1822	—	200

## List of Offices—continued.

Situation.	Name of the Individual.	Date of present Appointment.	£ Sterling.	Rixdollars.
Cape District.				
Landroest . . . . .	J. W. Stoll, Esqre. . . . .	1 August 1814	—	4,500
Secretary . . . . .	W. A. Wentzel, Esqre. . . . .	26 March 1819	—	2,000
Head Clerk and Cashier of the Tolls . . . . .	Mr. P. van Breda . . . . .	26 March 1819	—	960
Second Clerk . . . . .	Mr. J. W. Nelson . . . . .	1 April 1819	—	500
Third Clerk . . . . .	Mr. J. N. Vos . . . . .	28 August 1818	—	300
Inspector of Roads . . . . .	Vacant . . . . .	—	—	—
First Messenger . . . . .	G. F. S. Geyer . . . . .	30 December 1815	—	750
Under Sheriff . . . . .	J. Locke . . . . .	1 April 1820	—	600
Eight Policemen, each . . . . .	—	—	—	420
Four Carriers, each . . . . .	—	—	—	60
Buckbay Farm.				
Superintendent . . . . .	Mr. W. J. Klerck . . . . .	1 October 1814	—	500
Overseer . . . . .	Jan Kube . . . . .	1 January 1815	—	600
Assistant Overseer . . . . .	Jacob Kube . . . . .	10 September 1823	—	300
Residency of Saldanha Bay.				
Resident . . . . .	Captain J. Blake . . . . .	1 January 1821	—	600
Coxswain . . . . .	A. Wakefield . . . . .	—	—	420
Four Boatmen, each . . . . .	—	—	—	360
Two Signalmen . . . . .	—	—	—	360

Stellenbosch District.					
Landdrost . . . . .	D. J. van Ryneveld, Esqre.	22 July 1814	—	4,500	
Secretary . . . . .	P. C. van Blommestein, Esqre.	19 May 1813	—	1,000	
Clerk to the Landdrost . . . . .	Mr. J. A. Mader . . . . .	13 November 1822	—	400	
Clerk to the Secretary . . . . .	Mr. P. H. Faure . . . . .	11 May 1821	—	300	
Messenger . . . . .	J. Knoop . . . . .	—	—	300	
Under Sheriff . . . . .	D. Kenneburgh . . . . .	27 October 1817	—	360	
Two Constables, each . . . . .	—	—	—	300	
Ten black do. . . . .	—	—	—	240	
Functionary for the Slave Registry	Mr. P. C. van Blommestein	—	—	500	
Clerk to do. . . . .	Mr. J. G. van Lindenberg	—	—	300	
Postholder . . . . .	N. van Wielligh . . . . .	—	—	288	
do. . . . .	J. F. Bantjes . . . . .	1 October 1823	—	432	
do. . . . .	J. J. Malan . . . . .	—	—	1,152	
do. . . . .	H. B. de Vos . . . . .	—	—	1,872	
Swellendam District.					
Landdrost . . . . .	V. A. Schönnberg, Esqre.	27 March 1819	—	4,500	
Secretary . . . . .	J. F. Bam, Esqre.	12 May 1815	—	1,000	
District's Clerk . . . . .	Mr. J. A. H. Falck . . . . .	24 September 1819	—	900	
Clerk to the Landdrost . . . . .	Mr. W. Thompson . . . . .	15 October 1819	—	400	
Second do. . . . .	Mr. M. P. Taute . . . . .	22 November 1820	—	300	
Messenger . . . . .	C. van der Lith . . . . .	4 July 1819	—	300	
Undersheriff . . . . .	W. Ebersohn . . . . .	10 February 1818	—	360	
Six Constables, each . . . . .	—	—	—	180	
Six Caffers, each . . . . .	—	—	—	60	
Functionary for the Enregisterment	Mr. J. A. H. Falck . . . . .	24 September 1819	—	500	
of Slaves . . . . .	J. J. Spies . . . . .	1 July 1818	—	133½	
Overseer of the Woods at Groot-					
vadersbosch . . . . .					

*List of Offices—continued.*

Situation.	Name of the Individual.	Date of present Appointment.	Salary.	
			£ Sterling.	Rixdollars.
Subdivision Caledon.				
Clerk to Special Heemraad . . .	Mr. A. T. Spengler . . .	1 January 1824	—	300
Messenger . . .	J. P. Zietsman . . .	19 April 1820	—	300
Undersheriff . . .	J. G. van Graan . . .	22 May 1822	—	240
Two Constables, each . . .	—	—	—	180
Two Caffers, each . . .	—	—	—	60
Postholder . . .	Nicolaas Swart . . .	1 May 1821	—	900
do. . .	Gabriel le Roux . . .	1 May 1821	—	648
do. . .	B. van Dyk . . .	1 January 1824	—	540
do. . .	M. W. Hamman . . .	1 December 1822	—	540
do. . .	M. G. Beukes . . .	1 April 1822	—	594
do. . .	F. J. van Eeden . . .	1 April 1820	—	766
do. . .	J. Siedenfaden . . .	1 April 1820	—	702
do. . .	P. Lombard . . .	1 April 1820	—	972
do. . .	J. J. van Wyk . . .	1 March 1822	—	1,080
Graaff Reinet District.				
Landdrost . . .	A. Stockenström, Esqre. . .	12 May 1815	—	4,500
Secretary . . .	Mr. Th. Müller . . .	16 April 1804	—	1,000
District's Clerk . . .	Mr. J. J. Meintjes . . .	27 October 1820	—	900
First Landdrost's Clerk . . .	Mr. F. Hudson . . .	30 May 1823	—	400
Second do. . .	Mr. P. Stockenström . . .	1 July 1823	—	300
First Secretary's Clerk . . .	Mr. J. Auret . . .	16 August 1816	—	300
Second do. . .	Mr. J. N. Boshof . . .	1 April 1824	—	300
Messenger . . .	J. Auret . . .	24 May 1819	—	300

Undersheriff	J. J. Schindchutte	.	.	5 April 1820	—	360
Four Constables, each	—	.	.	—	—	180
Twelve Caffers, each	—	.	.	—	—	60
Functionary to the Slave Registry	Mr. J. J. Meintjes	.	.	27 October 1820	—	500
Field Commandant	Mr. C. D. Gerotz	.	.	—	—	300
do.	Mr. R. G. P. Pretorius	.	.	—	—	300
do.	Mr. J. P. van der Walt	.	.	—	—	300
Field Cornet	H. P. Coetzee	.	.	1 January 1824	—	200
do.	A. J. van Zyl	.	.	28 February 1822	—	200
do.	W. A. Venter	.	.	28 February 1822	—	200
do.	M. van Niekerk	.	.	23 May 1819	—	200
do.	P. Coetzee	.	.	1 October 1823	—	200
do.	H. S. Pretorius	.	.	4 November 1816	—	200
do.	G. Pretorius	.	.	1 January 1824	—	200
do.	W. A. Oberholster	.	.	26 May 1818	—	200
do.	C. Pretorius	.	.	26 July 1820	—	200
do.	J. H. Pienaar	.	.	13 April 1821	—	200
do.	N. S. Smit	.	.	2 August 1820	—	200
Postholder	F. Hartzenberg	.	.	—	—	432
do.	J. J. Rabie	.	.	—	—	288
do.	F. Joubert	.	.	—	—	648
do.	C. M. du Plooy	.	.	—	—	360
do.	G. Taute	.	.	—	—	432
do.	do.	.	.	—	—	288
do.	C. F. Botes	.	.	—	—	288
do.	J. H. Botes	.	.	—	—	395
do.	F. Hartzenberg	.	.	—	—	432
do.	L. Blom	.	.	—	—	288
do.	L. van Wyk	.	.	—	—	360
do.	C. B. Ziervogel	.	.	—	—	864
do.	A. S. Cloete	.	.	1 January 1824	—	108
do.	M. van Niekerk	.	.	1 February 1823	—	108
do.	J. H. Victor	.	.	1 January 1824	—	99

## List of Offices—continued.

Situation.	Name of the Individual.	Date of present Appointment.	Salary.	
			£ Sterling.	Rixdollars.
Postholder	G. A. Venter	1 February 1823	—	81
do;	N. van der Walt	1 February 1823	—	90
do;	P. du Plessis	1 February 1823	—	45
Sub Division Beaufort.				
Landdrost	J. Baird, Esqre:	27 November 1818	—	2,000
Secretary	Mr. T. N. G. Muller	30 May 1823	—	1,000
Landdrost's Clerk	Mr. J. Cleaver	1 January 1824	—	400
Secretary's Clerk	Mr. H. A. Truter	6 February 1823	—	300
Messenger	H. S. Luttig	1 October 1823	—	300
Undersheriff	M. S. Weeber	11 May 1821	—	240
Two Constables, each	—	—	—	180
Two Gaifers, each	—	—	—	60
Fieldcornet	C. Hatting	18 November 1818	—	200
do;	D. J. Fourie	17 June 1816	—	200
do;	J. Erasmus	—	—	200
do;	A. J. de Klerck	21 February 1822	—	200
do;	J. H. Nel	18 November 1818	—	200
do;	P. E. Kruger	27 November 1818	—	200
do;	A. Forster	30 March 1820	—	200
do;	A. Burger	27 November 1818	—	200
do;	J. van der Westhuizen	27 November 1818	—	200
do;	W. F. Joubert	1 October 1823	—	200
do;	R. P. du Toit	21 November 1821	—	200
do;	G. P. Marais	19 March 1823	—	200

Sub Division Cradock.					
Landdrost . . . . .	W. Macdonald Mackay, Esqre.	16 January 1824	—	2,000	
Secretary . . . . .	Mr. A. Gron Bratt	1 April 1824	—	1,000	
Landdrost's Clerk . . . . .	Mr. A. J. van Dyk	15 November 1821	—	400	
Secretary's Clerk . . . . .	Mr. J. F. Ziervogel	20 March 1823	—	300	
Messenger . . . . .	G. Aldrich	15 May 1822	—	300	
Undersheriff . . . . .	do.	1 January 1824	—	240	
Eight Caffers, each . . . . .	—	—	—	60	
Field Cornet . . . . .	J. H. Steenkamp	1 October 1823	—	200	
do. . . . .	C. F. van der Nest	24 July 1822	—	200	
do. . . . .	P. J. du Plessis . .	29 April 1816	—	200	
do. . . . .	A. Pretorius . . .	28 May 1818	—	200	
do. . . . .	G. H. Kruger . . .	24 May 1819	—	200	
do. . . . .	A. Myburgh . . .	20 March 1820	—	200	
Government Resident at Griqua Town	Mr. J. Melvill . . .	22 March 1822	—	1,000	
Uitenhage District.					
Landdrost . . . . .	Lieut. Col. J. G. Cuyler	31 January 1806	—	4,500	
Secretary . . . . .	J. J. F. Roselt, Esqre.	20 October 1824	—	1,000	
District's Clerk . . . . .	Mr. J. H. Lange . .	29 November 1817	—	900	
Landdrost's Clerk . . . . .	do.	July 1811	—	400	
Secretary's Clerk . . . . .	Mr. Robert Gunn . .	2 January 1823	—	300	
Messenger . . . . .	do.	2 January 1823	—	300	
Undersheriff . . . . .	J. Etchells . . . .	13 December 1822	—	360	
Seven Constables, each . . . . .	—	—	—	180	
Six Caffers, each . . . . .	—	—	—	60	
Field Commandant . . . . .	Mr. J. J. Muller . .	1 March 1817	—	300	
Field Cornet . . . . .	S. Kerr . . . . .	1 July 1823	—	200	
do. . . . .	S. Ferreira . . . .	—	—	200	
do. . . . .	J. J. Kok . . . . .	—	—	200	
do. . . . .	J. J. van Staden . .	—	—	200	



## List of Offices—continued.

Situation.	Name of the Individual.	Date of present Appointment.	Salary.	
			£ Sterling.	Rixdollars.
Field Cornet	F. C. Senekal . . . . .	—	—	200
do.	G. P. Slabbert . . . . .	—	—	200
do.	G. V. Buchner . . . . .	—	—	200
do.	S. Hartman . . . . .	—	—	200
do.	J. J. du Plessis . . . . .	—	—	200
do.	S. J. Becker . . . . .	—	—	200
do.	P. C. van Niekerk . . . . .	—	—	200
Functionary for the Enregistrement of Slaves	Mr. J. H. Lange . . . . .	29 November 1817	—	500
Postholder	C. Rademeyer . . . . .	—	—	540
do.	S. Ferreira . . . . .	—	—	504
do.	J. S. van Niekerk . . . . .	—	—	324
do.	S. O'Donnell . . . . .	—	—	378
do.	M. J. Ferreira . . . . .	—	—	378
do.	G. V. Buchner . . . . .	—	—	324
do.	E. O'Donnell . . . . .	—	—	648
Worcester District.				
Landdrost . . . . .	C. Trappes, Esqre. . . . .	4 January 1822	—	4,800
Secretary . . . . .	P. J. Poggenpoel, Esqre. . . . .	20 June 1823	—	1,000
District's Clerk . . . . .	Mr. J. G. Aspeling . . . . .	15 February 1822	—	900
Clerk to the Landdrost . . . . .	Mr. G. F. Scholtz . . . . .	1 April 1822	—	600
Clerk to the Secretary . . . . .	Mr. J. G. Blankenberg . . . . .	9 May 1817	—	400
Messenger . . . . .	F. Mong . . . . .	1 October 1803	—	300
Undersheriff . . . . .	B. F. de Vries . . . . .	28 April 1820	—	360
Eight Constables, each . . . . .	— . . . . .	—	—	180
Eight Caffers, each . . . . .	— . . . . .	—	—	60

Functionary for the Enregistrement of Slaves	Mr. J. G. Aspeling	.	.	15 February 1822	—	500
Church Clerk in the Village of Worcester	M. Keet	.	.	25 January 1821	—	177½
Sub Division of Tulbagh.						
Clerk to the Special Heemraad	Mr. W. N. Vos	.	.	7 November 1822	—	300
Undersheriff	J. G. Steyn	.	.	1 July 1818	—	360
Sub Division of Clan William;						
Landdrost	W. Synnot, Esqre.	.	.	30 November 1821	—	2,000
Secretary	Mr. D. Schönberg	.	.	29 September 1820	—	1,000
Landdrost's Clerk	Mr. W. Synnot, Junior	.	.	20 February 1823	—	300
Secretary's Clerk	Mr. J. van Lil	.	.	1 April 1823	—	400
Messenger	Vacant	.	.	—	—	—
Undersheriff	R. Cowsert	.	.	13 February 1822	—	360
Three Constables, each	—	.	.	—	—	180
Five Caffers, each	—	.	.	—	—	60
Schoolmaster at Hantam	J. Blaauw	.	.	19 June 1816	—	300
Postholder	W. N. Vos	.	.	1 January 1824	—	324
do;	J. C. Hugo	.	.	—	—	216
do;	C. G. Theron	.	.	—	—	144
do;	S. W. Pienaar	.	.	—	—	288
do;	do.	.	.	—	—	360
do;	J. F. C. Pienaar	.	.	—	—	360
do;	B. Visagie	.	.	—	—	432
do;	L. H. Stoop	.	.	—	—	360
do;	G. J. de Clerq	.	.	—	—	324
do;	B. F. Burgers	.	.	—	—	396
do;	A. V. Bergh	.	.	—	—	792
do;	R. Meiring	.	.	—	—	576

## List of Offices—continued.

Situation.	Name of the Individual.	Date of present Appointment.	Salary.	
			£ Sterling.	Rixdollars.
George District.				
Landdrost . . . . .	J. W. van der Riet, Esqre. . .	13 September 1819	—	4,500
Secretary . . . . .	W. C. Kuyt, Esqre. . . . .	3 September 1819	—	1,000
District's Clerk . . . . .	Mr. D. Coolhaas . . . . .	19 June 1811	—	900
Landdrost's Clerk . . . . .	Mr. S. H. du Toit . . . . .	23 April 1811	—	400
Secretary's Clerk . . . . .	Mr. J. F. Meyer . . . . .	14 June 1819	—	300
Messenger . . . . .	J. C. Brewis . . . . .	1 April 1824	—	300
Undersheriff . . . . .	R. Boswell . . . . .	1 October 1823	—	360
Six Constables, each . . . . .	—	—	—	180
Six Caffers, each . . . . .	—	—	—	60
Overseer of the Woods . . . . .	J. P. Weyers . . . . .	13 September 1820	—	240
do. . . . .	M. Dietzel . . . . .	5 June 1822	—	240
Overseer of Outeniqualand . . . . .	S. Fend . . . . .	In 1799	—	360
Functionary for the Enregisterment of Slaves . . . . .	Mr. D. Coolhaas . . . . .	26 June 1816	—	500
Pilot Knyana River . . . . .	Mr. G. Wallace . . . . .	15 June 1821	—	800
Coxswain . . . . .	J. Briggs . . . . .	1 January 1824	—	480
Six Boatmen, each . . . . .	—	—	—	360
Resident of Plettenberg's Bay . . . . .	Mr. J. Squier . . . . .	9 July 1813	—	600
Coxswain . . . . .	H. Baum . . . . .	—	—	400
Signalman . . . . .	Vacant . . . . .	—	—	—
Resident of Mossel Bay . . . . .	Mr. H. O. Acker . . . . .	4 June 1819	—	600
Signalman . . . . .	G. Carlesen . . . . .	4 June 1819	—	77
Coxswain . . . . .	Vacant . . . . .	—	—	—
Four Boatmen, each . . . . .	—	—	—	360
Postholder . . . . .	E. E. Meyer . . . . .	16 February 1810	—	360

do;	.	.	.	H. O. Acker	.	.	4 June 1819	384
do.	.	.	.	J. L. Botha	.	.	3 February 1820	384
do.	.	.	.	C. van der Walt	.	.	31 May 1814	384
do.	.	.	.	S. H. du Toit	.	.	do.	600
do.	.	.	.	R. P. Campher	.	.	do.	600
do.	.	.	.	A. M. Muller	.	.	do.	384
do.	.	.	.	M. Zondag	.	.	do.	384
do.	.	.	.	S. Ferreira	.	.	16 February 1820	384
do.	.	.	.	P. H. Ferreira	.	.	do.	384
do.	.	.	.	S. Weyers	.	.	13 September 1820	192
do.	.	.	.	Widow Weyers	.	.	16 February 1810	192
do.	.	.	.	George Rex	.	.	10 February 1810	192
Albany District.								
Landdrost	.	.	.	H. Rivers, Esqre.	.	.	7 December 1821	4,500
Secretary	.	.	.	D. J. Cloete, Esqre.	.	.	6 December 1823	3,500
District's Clerk	.	.	.	Mr. M. J. Onkruid	.	.	22 June 1821	900
First Landdrost's Clerk	.	.	.	Mr. John Willis	.	.	13 December 1822	800
Second do.	.	.	.	Mr. R. Godlonton	.	.	21 March 1822	600
First Secretary's Clerk	.	.	.	Mr. J. G. de Villiers	.	.	19 January 1824	600
Second do.	.	.	.	Mr. P. Lowen	.	.	23 January 1824	600
First Messenger	.	.	.	W. Wathall	.	.	23 January 1824	300
Second do.	.	.	.	J. F. False	.	.	15 November 1821	300
Undersheriff	.	.	.	T. Clerk	.	.	30 January 1824	360
Eight Constables, each	.	.	.	—	—	—	—	300
Two Caffers, each	.	.	.	—	—	—	—	60
Functionary for the Enregistrement of Slaves	.	.	.	Mr. M. J. Onkruid	.	.	22 June 1821	500
Field Commandant	.	.	.	Mr. J. Durant	.	.	26 November 1823	300
Field Cornet	.	.	.	Mr. W. Currie	.	.	—	200
do.	.	.	.	Mr. W. de Klerck	.	.	—	200

*List of Offices—continued.*

Situation.	Name of the Individual.	Date of present Appointment.	Salary.	
			£ Sterling.	Rixdollars.
Field Cornet	Mr. G. Meyer	—	—	200
do:	Mr. P. W. Bouwer	—	—	200
do:	Mr. G. Dyason	—	—	200
do:	Mr. S. Potgieter	—	—	200
Ranger of the Woods	Mr. D. Page, Senior	17 April 1823	—	600
District Surgeon	Mr. A. Cowie	5 December 1823	—	1,200
Schoolmaster at Salem	Wm. Matthews	1 January 1823	—	300
Schoolmaster to the Settlers on the Coast of Albany	R. Wilde	23 January 1824	—	300
Kowie River Establishment.				
Harbourmaster	Mr. C. Mackay	6 December 1822	—	600
Fifteen Boatmen, each	—	9 April 1821	—	480
Postholder	J. Latham	—	—	972
do:	A. McDonald	—	—	648
do:	do.	—	—	540
do:	J. C. Espach	—	—	1,080
do:	J. J. Durand	—	—	864
do:	John Ayliff	—	—	432
do:	J. Dyason	—	—	648
do:	do.	—	—	648
Chumie Establishment in Cafraria beyond the Eastern Boundary of the Colony.				
Government Agent	Mr. J. Brownlee	30 June 1818	—	1,000
do:	Revd. W. R. Thomson	1 March 1821	—	1,000

[Office Copy.]

*Letter from* EARL BATHURST *to* LORD CHARLES SOMERSET.

DOWNING STREET, LONDON, 26th October 1824.

MY LORD,—I transmit to your Excellency herewith enclosed copies of a Memorial and of its enclosures which have been received from Mrs. Sparks the widow of Captain Sparks late of the Royal African Corps, praying for some remuneration on account of the losses sustained by her late husband in attempting to form a Settlement, called Fredericksburg, between the Right Bank of the Beka River and the Great Fish River, and as the claim of Mrs. Sparks is founded altogether upon circumstances of local interest which your Excellency will be fully enabled to appreciate, I have to desire that you will take her Memorial into your consideration. I have &c.

(Signed) BATHURST.

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[Original.]

*Letter from* LORD CHARLES SOMERSET *to* EARL BATHURST.

CAPE OF GOOD HOPE, October 26th 1824.

MY LORD,—The diversity of business which has of late occupied my attention, and in the absence of some necessary documents, but recently obtained from the Frontier, I have been under the necessity of postponing, until the present, reporting to Your Lordship, that it has become indispensable, as will be seen on a reference to the enclosed Correspondence, to erect without further delay at Graham's Town, the Head Quarters of the Frontier Force, accommodation for the mess of the Officers of the Cape Corps, the Building hitherto occupied for that purpose has long been, as will be perceived by Enclosures marked A and B under date the 26th November 1822 and 4 February 1823, in a very bad State; having been, under Your Lordship's Letter of the 22nd February 1822, desirous to defer as long as possible the incurring any Expence in the construction of new Buildings on the Frontier, I ordered

such temporary and partial repairs to be made from time to time as the State of that in question would permit. The Rains at the commencement of the last Season having however injured the Building to such an extent as to render all further repair impracticable, and as no accommodation for a Mess House could be obtained on hire, and it being moreover necessary to concentrate the Officers of the Corps in the immediate vicinity of their Men, I desired a Plan of the required accommodation to be made, and under the direction of the Officer commanding the Engineers, a contract to be entered into by public Tender for erecting the Same forthwith. On this occasion the Tender of Mr. C. F. Pohl, being the most advantageous was accepted, and a Contract, of which I have the honor to enclose a Copy, concluded thereon.

I should have preferred submitting this measure to Your Lordship's previous approval ; but had the commencement of the work been postponed until I could have been honored with Your Lordship's Sanction thereto, the proper Season for building would be lost, under this circumstance and considering the very great inconvenience and undue privations, the Officers of the Cape Corps have so long experienced for want of Suitable Mess Accommodation, so essential where they are Stationed, I cannot but trust that these proceedings will be found satisfactory. I have &c.

(Signed) CHARLES HENRY SOMERSET.

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[Original.]

*Letter from LORD CHARLES SOMERSET to*  
R. W. HORTON, ESQRE.

CAPE OF GOOD HOPE, 26th October 1824.

SIR,—Every effort has been exerted to put Earl Bathurst in immediate possession of the Documents called for by the House of Commons, as stated in the order transmitted to me in your letter of the 14th February 1824, but the nature of the information required having necessitated a reference to the distant Magistracies, some time has unavoidably elapsed in their preparation.

I have at length however the satisfaction to forward to you herewith :

No. 1.—Copies of Four Proclamations published by this Government, relative to the condition and treatment of Hottentots at the Cape of Good Hope since the Year 1819.

No. 2.—A copy of my Proclamation of the 18th March 1823 relative to the treatment and condition of Slaves, and a copy of a letter which I addressed to the Court of Justice on the 5th January last, grounded on the resolutions agreed to in the House of Commons on the 15th May 1823.

No. 3.—A Statement of the Population since the year 1807, distinguishing the different classes of which the Population consists.

No. 4.—A Return of all Grants of Land made either to Hottentots or Bosjesmen during the last seven years.

No. 5.—A Return of all Commandos or Expeditions that have proceeded against the Bosjesmen since the year 1797, and Copies of the correspondence relative to the treatment of Bosjesmen therein referred to. I have &c.

(Signed) CHARLES HENRY SOMERSET.

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[Copy.]

*Evidence given by MAJOR ROGERS to the COMMISSIONERS OF ENQUIRY.*

CAPE TOWN, 26th October 1824.

Do you recollect an Officer of the name of Major Nicolls in the Garrison at the Cape ?

Reply. I do, he was Brevet Major of the 72nd Regiment and also Town Major.

Do you recollect hearing that he had been accused of hostility towards the Government of Sir R. Donkin, on account of his intimacy with Mr. Parker?

Reply. Sir Rufane Donkin mentioned to me in the course of common conversation that Mr. Parker attempted to impute to him hostility towards Major Nicolls on account of the intimacy that appeared to exist between Mr. Parker and Major Nicolls.



Did Sir R. Donkin say in what manner the imputation had been conveyed ?

Reply. No he did not, I rather understood it to have been mentioned in conversation ; but I am not aware of its having been conveyed in any written representation to Sir R. Donkin.

Did you ever think that Major Nicolls had any ground of complaint or of hostility towards Sir R. Donkin ?

Reply. Quite the contrary, Sir R. Donkin having without any previous acquaintance with Major Nicolls given him an active appointment to a Staff Situation here, for which Major Nicolls had repeatedly expressed his acknowledgements to me.

Was Major Nicolls much in the Society of Mr. Parker, or did he appear to give him much support ?

Reply. Major Nicolls was the only Field Officer of the Garrison who appeared to be at all intimate with Mr. Parker, but I conceive that this arose from their being fellow countrymen, and from Mr. Parker having rather attached himself to Major Nicolls on his arrival in the Colony.

Do you recollect whether the report of any hostility amongst the Field Officers, or of too much intercourse with Mr. Parker prevailed at the time, or was made the subject of conversation amongst them ?

Reply. I recollect that there was a report in circulation here, that a Field Officer of the Garrison had been upon too intimate a footing with Mr. Parker, and that such intimacy was likely to bring him into trouble.

Do you know whether it was ever officially noticed ?

Reply. Not by Sir R. Donkin, who I remember laughed at it, and said to me one day, " only think of that fellow Parker, who wants to involve poor Major Nicolls ; poor man, I should be very sorry to do him any harm."

Do you know at all from whence the report is said to have originated ?

Reply. I have since heard that it originated in some representation that Mr. Parker made to the Government at home.

(Signed) G. J. ROGERS, Late Military Secretary.

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[Copy.]

*Questions proposed to Willson's Party at a Meeting before  
MR. HAYWARD on the 27th October 1824.*

1. What occurred between Mr. Willson and his Party at Algoa Bay and to which he alludes in his letter to Earl Bathurst dated 10th May 1823, and pleads as an excuse for non residence?

Answer. His attempting to obtain the signature of the Party to certain Papers wherein he wished to assume such Powers as the Party refused to allow him first led to differences, next his attempt to retain the first Instalment and afterwards to pay it to the Party at 10 Rixdollars instead of Rds. 11 3 sks. per £ Sterling.

2. Do you think the apprehensions of Mr. Willson for his own safety and that of his Family were well founded, and at the time to which he alludes such a spirit existed in the Party as made it absolutely necessary for him to leave it? Explain or relate the circumstances which occurred at Algoa Bay and which induced Mr. Willson to wish not to come up to the Location.

Answer. The party generally deny that there was the least foundation for his fears. No one ever heard of threats used. Mr. Boardman after Willson had left the location requested him to return, when Willson did say that he considered his life in danger, when Mr. Boardman assured him that there was no reason for such alarm and that he would insure his life for a few stivers. (This subject was fully discussed, and it is strongly supposed that the real cause of Mr. Willson's not meeting the party was that he could not come to a settlement with the party for the £5 extra money which they had placed in his hands for Stores).

3. Did Mr. Willson come up with the party from Algoa Bay to the Location?

Answer. He had used every endeavour to remain behind at Algoa Bay, but the Commandant compelled him to move. He then did proceed with the Party to the Location. He came to the Flat above the Location, and then struck off to Bathurst. The following afternoon he came to the Location, and left it early the next morning.

4. Did Mr. Willson in any way contribute by personal exertion or otherwise to promote the establishment of his party and to assist to locate them on the Land on which they were placed by the Local Authorities ?

Answer. Not at all generally. He left a list of names with Mr. Boardman, and which is all that he did.

5. Did Mr. Willson ever return to the location ?

Answer. Never.

6. Did Mr. Willson fix on any spot in the location for his own residence, or did he enclose or give directions to have enclosed any Land for his own use and occupation ?

Answer. Yes, where his servants' tents were pitched.

7. Did Mr. Willson in any way occupy by or through others, but at his own expence ?

Answer. Nothing whatever done by the Servants.

8. What servants did Mr. Willson bring with him, and did they remain on the location as his Servants ?

Answer. Three from England, one of whom remained at the Bay. Two came to the Location and remained about six months, never cultivated at all, neither built nor fenced, they could get no instructions from Mr. Willson, though Lindsay, one of them, had written to him.

9. Did Mr. Willson previous to his leaving the Party or at any period subsequent thereto appoint you Mr. Boardman his agent, and how did he appoint you ? Did you accept an agency of this nature from him ?

Answer. No, never.

10. What were your reasons Mr. Boardman for asking Mr. Willson's advice and *instructions* as to the sub-division of the Land, in your letter to him supposed to have been written on the 1st January 1823, but without date, and on what grounds do you say that 10,000 acres have been granted the Party ? Was that founded on official information given to you by any and by what Public Authority ?

Answer. (Vide detailed answer hereto in Mr. Boardman's letter to Mr. Hayward). Mr. Knobel, Government Surveyor, had set it off in his presence.

11. What were his instructions to you Mr. Boardman relative to the interests of the Party, and his own private interests, as far as they were connected with the party, or as to the occupa-

tion of land on his own account, and for his benefit, or at his risk ?

Answer. No particular instructions, but generally to take care of his rights whatever they might prove to be.

12. Who appointed Mr. Boardman to represent the Party in their transactions with the Government, or by whom were you Mr. Boardman appointed ?

Answer. At a meeting of the Party it was agreed that Mr. Boardman should be acknowledged as head, but this was unknown at the time to Mr. Boardman himself.

13. To what period did Mr. Willson continue to act as Head of the Party as to drawing Stores and Rations, previous to his abandonment and your appointment to the Headship ?

Answer. Six weeks victualling when at Algoa Bay, once at Bathurst, and Implements at Algoa Bay.

14. To what amount of Rations and Stores have you Mr. Boardman drawn for the party since you have conducted the affairs of the party ?

Answer. Ever since for Provisions, but no Stores for the Party.

15. What was the amount of Deposits paid by Mr. Willson to the Home Government ?

Answer. He paid for himself personally, his family, and for Three Servants.

16. Did the party pay their respective Deposits to Mr. Willson ?

Answer. Yes.

17. Did Mr. Willson pay the Deposits of any Individual of the party from his own means ?

Answer. No.

18. He asserts he advanced £50 or £60 for Mr. Boardman, was this ever repaid to him ?

Answer. Yes, it was a temporary advance only when I (Mr. Boardman) was in Lancashire, and which I have repaid to Mr. Willson, as this receipt (produced) for £55 fully proves.

19. Do you conceive that a Balance of Deposits can be due to Mr. Willson from the Government ?

Answer. It is not possible.

20. Did Mr. Willson previous to his leaving the Colony state

that it was his intention to return, or did he say or lead you to believe that it was his decided intention not to return ?

Answer. Yes, but when at Algoa Bay he was repeatedly called for by the Party, but never would come up. Captains Trappes and Evatt and Colonel Cuyler had ordered him up, but he constantly pleaded sickness of himself or Family.

21. Do you know of any agreement between Mr. Willson and his Party or any Individuals of the Party by which they consent to receive from him 100 Acres only, and that all surplus Land was to be his ?

Answer. No such agreements were ever entered into. A few Papers were produced by which it is found that some had Willson's receipt for the Deposit Money and a few had agreements which speak of the grant, of the advantages of 100 Acres, some of 100 Acres, but all are asserted to have been of the same intent and meaning that the Party paying his deposit was entitled to 100 Acres of Land, and which Willson agreed to give. There was no contemplation of surplus or lapsed land. Mr. Willson never was considered as having any other rights than the rest of the Party.

22. Do you consider Mr. Willson to have any claims on his Party, or to be entitled from occupation or otherwise to any portion of the Land granted by Government to the Party ?

Answer. Not at all.

23. Am I then to understand that you Mr. Boardman and the rest of the party now present consider Mr. Willson to have abandoned his Party and Location, and from what period ?

Answer. Wholly, and from the first moment of their being located.

24. Is it understood by any one of the Party that the Revd. W. Boardman was the constituted Agent of Mr. Willson, did he so declare himself, and was he so acknowledged, not only as his representative as Head or Conductor of the general affairs of the Party, but also as having the charge of Mr. Willson's individual interests ?

Answer. No. Mr. Boardman having undertaken the Affairs of the Party had the arrangements of the Homesteads and the drawing of Rations for the party.

(Signed) Wm. HAYWARD, Commissioner.

[Original.]

*Letter from MAJOR W. C. HOLLOWAY to R. WILMOT  
HORTON, ESQRE.*

STOKE COTTAGE, DEVONPORT, 29th October 1824.

SIR,—I beg leave to state to you, that Lord Charles Somerset has, in a Letter to me from the Cape of Good Hope dated 23rd June last, desired that I should solicit an Interview with Earl Bathurst, for the purpose of personally representing to His Lordship the nature of the circumstances attendant on the formation of a Road of easy draught, recently carried over the Mountain of the Fransch Hoek, by order of the Government at the Cape, and of explaining the numerous advantages which must further accrue to the Colony at large, should Lord Bathurst be pleased to sanction the completion of the Work, and continuance of the Line of Road, in the manner contemplated by Lord Charles.

In consequence of these directions of His Lordship, I had the honor of attending at the Colonial Office in Downing Street, in the course of the last fortnight, but being given to understand that you were not in Town, and that some time might probably elapse before Lord Bathurst would be in London, I take the liberty to make this Communication, requesting that you would do me the honor to acquaint me, at what time it might be desired that I should wait on Lord Bathurst, and whether it might not be satisfactory for me in the meanwhile to frame a brief report of the particulars of the Service in question, for His Lordship's information ; as I conceive that I could elucidate the principal facilities that would be afforded to the Inhabitants of the Colony by the measure, and thereby manifest the causes which have induced Lord Charles Somerset to have the success of the undertaking so much at heart. I have &c.

(Signed) W. C. HOLLOWAY, Major R. Engrs.

[Copy.]

*Letter from the* REVEREND WILLIAM BOARDMAN *to* LORD  
CHARLES SOMERSET.

BEAUFORT VALE, 29th October 1824.

May it please your Excellency,—In obedience to your Excellency's Commands I have put into Mr. Hayward's hands a Statement of the relation in which I stood with respect to the constituted agency with which Mr. Willson is pleased to honour me, which will, I trust, prove satisfactory to yourself as well as the British Government.

As you will see the statement I need not animadvert, at present, on Mr. Willson's assertions ; but think that I am bound in justice to myself to lay before your Excellency the enclosed Extracts from letters written by Mr. Willson to Earl Bathurst and myself ; by comparing of which your Excellency will be enabled to judge how far his *ipse dixit* is deserving of credit.

To his insinuation with regard to my ingratitude, and on account of which he removed his boys from under my charge, I know not how to reply, unless it be brought forward in a specific form, for which, with your Excellency's approbation, I will call upon him. I remember that once on shipboard I refused to instruct, or to take any notice of, the eldest on account of his insolence and disobedience, until he had condescended, at his father's request, to make an apology ; and I have reason to believe that his mother never forgave my conduct on that occasion. Had he with his Family come to reside on the location I am persuaded that he would have been much more ready to put his Children under my tuition than I should have been to receive them, as (with the exception of the youngest a most docile, ingenuous, sweet tempered boy) they were the most disorderly, refractory, and incorrigible that I ever had the misfortune to meet with.

Your Excellency will be pleased to pardon my prolixity in this respect, as Mr. Willson's insinuations, if credited, may be seriously prejudicial to me in your Excellency's estimation with regard to the establishment at Bathurst, on the duties of which

I am anxious to enter, and which I purpose, by God's blessing and assistance, assiduously and conscientiously to fulfil.

If required I can obtain the most satisfactory testimonials from the Governors of the Grammar School in Blackburn to prove that I am neither ignorant of, nor inattentive to my duty, as well as from many of my former pupils now eminent in the professions of law, medicine, and divinity, who, if I could submit to the humiliation of dependence, would support me in affluence on my return to Britain.

In one instance I confess my ingratitude. I do not, nor ever shall, I fear, feel any grateful sentiments for what he terms his constituted agency in one of the most turbulent, contentious, and fraudulent parties that ever landed on the Shores of Africa; but feel some satisfaction in having discharged the duties of that office (as the party confessed in Mr. Hayward's presence) with fidelity, impartiality, and disinterestedness.

I have endeavoured to reconcile Mr. Willson's representation of me to Earl Bathurst with his letters to me, which breathed nothing but friendship and esteem, and cannot, in charity, attribute the discrepancy to anything except mental derangement.

The proceedings in this part of the Colony have been, and will be laid before your Excellency; they will prove, I trust, equally honourable to Mr. Rivers and the Settlers in general; and that, notwithstanding the efforts of a few discontented and actively restless individuals, as I have had the honour of observing to your Excellency, that the Settlers are not disaffected or discontented with the Government.

Gratefully acknowledging your Excellency's attention to the Settlement in general, and to myself in particular, I have &c.

(Signed) WM. BOARDMAN.

[As the letters referred to in the above have appeared in full, the extracts attached as annexures are not given.—G. M. T.]



[Office Copy.]

*Letter from* EARL BATHURST *to* LORD CHARLES SOMERSET.

DOWNING STREET, LONDON, 30th October 1824.

MY LORD,—In consequence of a communication which I have received from the Secretary of State for the Home Department complaining of the great practical inconvenience which has been found to result from the frequent reference of late years, in criminal cases, from the Colonies to this Country, with regard to the confirmation of sentences pronounced by the Colonial Courts, I have to give you the most particular directions, to avoid any recurrence to this practice, except in cases of most serious doubt wherein, in your judgment no alternative remains, but to appeal to the Government at home.

A reference home, except on a doubt with respect to the construction of Law, must necessarily so raise the hopes of the unfortunate Convict, that it becomes hardly possible to direct the execution of the sentence of Death, after the long interval which must elapse between the time when the reference is made, and that at which the answer will arrive, and thereby does in effect leave His Majesty's Government no other alternative, than what under other circumstances would be considered a lax execution of the Law. I have &c.

(Signed) BATHURST.

[Copy.]

*Evidence given by the* REVEREND MR. KAUFMANN *to the*  
COMMISSIONERS OF ENQUIRY.

CAPE TOWN, 30th October 1824.

Are you a Member of the Bible and School Commission ?

Reply. I am.

And also of the Union Society ?

Reply. I have become so lately.

How long has the first of these Societies been established ?

Reply. I believe since the year 1791.

What description of Christians are allowed to become Members of it ?

Reply. The Clergymen of the Reformed English, Dutch and Lutheran Churches, and the Clergyman of the English Church and the Clergymen of the Interior are honorary Members.

Do they hold Meetings ?

Reply. Yes, monthly Meetings, I would observe that in addition to the Clergymen who attend, one Member of the Burgher Senate and a member of the Court of Justice are appointed annually.

Is any report published of the proceedings of the Society ?

Reply. Not at present, during the time of Sir John Cradock the accounts of the Society were once published.

Is it one of the objects of the Society to purchase and distribute Bibles ?

Reply. It is, Bibles are received from the Foreign Bible Society or the Society for promoting Christian Knowledge, and deposited in a Room in the Free School, where those who want Bibles may procure them, paying for them, or receiving them gratis according to their circumstances.

Have many Bibles been distributed in this manner, and has much anxiety been manifested amongst the lower Orders of the Community to obtain them ?

Reply. There has not been manifested much anxiety to obtain the Bibles, and a great many are on hand undisposed of. At one time the Soldiers shewed an anxiety to possess prayer Books and Tracts, but the Funds of the Society are not equal to the purchase of a sufficient number of them.

What is the object of the Union Society ?

Reply. For the distribution of Bibles.

Is it an open Society ?

Reply. It is only open to some of the Clergy and to those who are elected by the Society.

Is Government connected with it in any manner ?

Reply. The Governor has been lately solicited to become Patron, but originally it was altogether a Private Association of Individuals.

Government was of course connected with the Bible and School Commission ?

Reply. It was. General Meade and Mr. Alexander were both Members of it.

Was Colonel Bird a member of either of these associations, or did he subscribe to them ?

Reply. He was not a member. I don't think I ever saw his name amongst the Subscribers.

From what Sources were the Funds of the Bible and School Commission derived ?

Reply. From the Subscriptions of Individuals, which are lent out on Security.

Have you ever heard Colonel Bird express any disapprobation of the principle of Bible Societies ?

Reply. It seemed to be his private opinion expressed in Conversation that the indiscriminate distribution of Bibles among the poorer Orders of the Community was not advisable, and such indeed is the opinion of the Members of the Bible and School Commission.

(Signed) F. KAUFMANN.

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[Original.]

*Letter from MR. THOMAS WILLSON to EARL BATHURST.*

STOCKWELL, 1 November 1824.

MY LORD,—On the 13th October I had the honor of addressing your Lordship again upon the subject of my claims, a matter of so much interest to me that I trust your Lordship will not hesitate to grant my request, in order that I may finally estimate the propriety of embarking in any further expences at the Cape of Good Hope, as your Lordship but too well knows, that up to this hour I have not derived the shadow of an advantage for all my zeal in the service, the excessive toil and indescribable anxiety which I have endured, neither have I received the smallest return for my heavy expenditure, still my Deposit money is permitted to remain unsettled ! and my Title Deeds are not yet forthcoming ! notwithstanding your Lordship's instructions to the Colonial Government. The patient forbearance (which from delicacy and respect to your

Lordship) I have evinced throughout under these most trying and vexatious occurrences, I flatter myself will not fail to obtain for me your Lordship's polite consideration, and a favorable reply! I have &c.

(Signed) THOS. WILLSON.

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[Original.]

*Letter from LORD CHARLES SOMERSET to EARL BATHURST.*

CAPE OF GOOD HOPE, 2nd November 1824.

MY LORD,—I have the honor to acquaint Your Lordship that I caused enquiry to be made into the circumstances mentioned in your Lordship's Despatch of the 12th June last No. 103, and in the enclosures therewith transmitted, and that I have received from the President and Members of the Orphan Chamber the accompanying copy of a letter stating that in conformity to your Lordship's desire, they shall remit to the Colonial Agent the Sum left to Magdalena Susanna Albrecht by her Uncle Johan Christiaan Albrecht, in order to its being placed at the disposal of the Party entitled to the same.

Your Lordship will perceive that it is contrary to the Regulations of the Orphan Board to remit property under its administration to foreign Heirs unless an acquittance be previously obtained, but in order to give effect to your Lordship's Commands, I have sanctioned a departure from the general rule, and directed the payment of the Amount, the Board holding that authority till furnished with the receipt alluded to by Your Lordship on behalf of the minor for the Sum in question. I have &c.

(Signed) CHARLES HENRY SOMERSET.

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[Copy.]

*Letter from the COMMISSIONERS OF ENQUIRY to LIEUTENANT  
COLONEL BIRD.*

CAPE TOWN, 2nd November 1824.

SIR,—With reference to the answer that you have given to the 6th Article of Charge contained in the affidavit of Mr. William Parker, wherein he has sworn that you unjustly and iniquitously obtained a Grant of Land in Hout Bay, and a Building Allotment in Cape Town, we observe that your acceptance of the latter appears to have been coupled with an Engagement entered into voluntarily by you towards the Acting Governor Sir Rufane Donkin, that you would proceed to build upon it a Residence for Yourself and family and thereby obviate the partial inconvenience that had been observed to arise from your constant residence out of Town.

We are not exactly aware of the Date of this Grant, but as it must have taken place before the departure of Sir Rufane Donkin from the Colony in the year 1821, we beg to be informed whether any and what circumstances have occurred (not of a private nature) between that Period and the year 1824 that prevented you from carrying your intention into effect.

As you have also stated to us that you knew at that time, and now know, that the allotment in question was not and is not likely to be wanted for public purposes, we think it right to mention to you that the Comptroller of Customs has stated to us that in the year 1821 on the introduction of the Bonding System, the Department was compelled to allow several Merchants to bond their Goods in their own Stores, under the Security of the Custom House Locks, and altho' the present Warehouses are now found sufficient for the Bonded Goods that are deposited, yet in the event of a War, or a more liberal admission being authorized of Foreign Merchandise, further accommodation would be required.

We have ventured to state this last circumstance both on Account of the extensive information you must possess upon such Subjects, and also from our belief that the strong objection that is likely to be made to the Grant elsewhere will be founded

upon its supposed applicability to the future wants of Government. We have &c.

(Signed) JOHN THOMAS BIGGE,  
WILLIAM M. G. COLEBROOKE.

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[Original.]

*Letter from* MR. BENJAMIN WILMOT *to*  
R. WILMOT HORTON, ESQRE.

NO. 1 ROSOMANS BUILDINGS, ISLINGTON GREEN.

SIR,—As the mere recurrence to my own affairs at the Cape of Good Hope unnerves me for a time and creates sensations exceeding painful, I have deferred this Memorial till aroused by the conviction that I was not only sacrificing my own interests but those also of my brother.

Out of a numerous mass of grievances and calamities I have endured I have mentioned only the few for which I consider I might have had some redress even in Africa if against individuals who did not hold official situations.

In the hope that this Memorial will be speedily laid before Earl Bathurst I shall anxiously wait the result. I am &c.

(Signed) BENJAMIN WILMOT.

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[Original.]

*Memorial from* MR. BENJAMIN WILMOT *to* EARL BATHURST.

NO. 1 ROSOMANS BUILDINGS,  
ISLINGTON GREEN, *November 2nd 1824.*

To the Right Honourable Earl Bathurst, Secretary of State  
for the Colonial Department, &c., &c., &c.

The Memorial of Benjamin Wilmot, late of the new Settlement of Albany at the Cape of Good Hope, in behalf of himself and brother James Wilmot now residing at Bathurst in the said Settlement, Humbly Sheweth

That they joined Mr. Thomas Willson's party of Settlers (with four men as their Servants) upon the express condition

of possessing all the advantages proposed in your Lordship's Circular of 1819.

That when the party disembarked at Port Elizabeth they complained to the authorities of Mr. Willson's conduct, that although Implements of Husbandry and tools were issued to him from the Government Store for the Party on the credit of the second instalment of their deposit, he would not let them have any without payment, although their Deposits in the hands of Government were said to be charged with the payment. The Party finding they had not got their differences adjusted when the Waggon arrived to take them to the Settlement, refused to leave the Town till they had. The Commandant hearing of this induced Memorialist and his brother and the rest of the Party to proceed to the Settlement, by assuring them that their differences would be adjusted as well in Albany as at Algoa Bay, and that they need not make themselves uneasy, for that the Government would take care that they had their rights; wholly relying upon these assurances Memorialist, his brother, and the Party instantly proceeded to the Settlement.

That on arriving at the Settlement Memorialist and his brother presented their claims against Mr. Willson to Captain Trappes, the Provisional Magistrate of Albany, who assured your Memorialist that he had been sent for to answer the claims of his party and if he would not willingly come that he should be compelled to do so. As Mr. Willson notwithstanding these assurances was never brought to the Settlement, Memorialist and his Brother joined others of the Party in a Memorial to his Excellency the Acting Governor praying that Mr. Willson might be compelled to meet his Party, and do them justice, yet he was allowed to leave the Colony without coming to any arrangement, and he wholly abandoned the Party and returned to England indebted to them about Five hundred pounds Sterling.

That Memorialist and his brother with the rest of the party were located upon a small Rivulet called Brack River, but since named Beaufort Vale, and Memorialist and his brother received Six allotments of land by ballot which consisted of only sixty-six yards frontage each. On this small slip of ground they continued to reside for upwards of three years, and brought

into cultivation all the land proper for tillage in order to obtain an indisputable right to a grant.

That your Memorialist and his brother were compelled to leave this place (after they had expended about four hundred pounds in building a substantial house and in trying to improve the land) not only by the frequent depredations of the Caffers (who murdered two persons within a short distance of their house) but by the natural disadvantages of the place, being obliged to send away the whole of their Cattle for seven months in the year for want of water and to be indebted to their neighbours for the little they themselves drank, although they expended considerable sums of money in making Reservoirs in the hope of preserving sufficient for household purposes, but without effect.

That your Memorialist and his brother finding from these and other disadvantages that the place was not proper for cultivation nor safe for grazing cattle, nor adequate for the support of one family, applied to His Majesty's Commissioners of Inquiry, and by their advice memorialized His Excellency the Governor Lord Charles Henry Somerset for another place, offering to relinquish all claim to the place where they had expended so much of their time and Capital, but without being able to obtain a Grant.

That Memorialist and his brother are particularly unfortunate in having been placed upon a spot of land so useless, it being impossible for them to live upon it without being at a greater expence than would have been incurred by renting a place elsewhere.

That your Memorialist and his brother would in right of themselves and four servants have become entitled to grants of land for six families, and as Memorialist is confident that it was not the intention of the British Government to place an Emigrant upon a portion of land every way inadequate to the support of a family, he hopes that they may be considered to have a claim to such quantity of land as His Majesty's Commissioners of Inquiry may report to be necessary for the support of six families.

That of the Sum of Sixty two pounds ten shillings sterling deposited with the Government through Willson, Memorialist and his brother have only received £20 16 8.



That if payment for the Rations (issued to the Settlers during their inability to procure sustenance from the land) is insisted upon from your Memorialist and his brother, they humbly conceive that the pledge upon their Buildings and Improvements given to the Provisional Magistrate will more than be sufficient to answer them and submit that the second and third instalments of their deposit should not be retained.

That your Memorialist having lost fourteen Oxen and one Cow by the depredations of the Caffers, which loss was regularly reported and allowed, became entitled to remuneration, and although 7000 head of Cattle were taken from those Savages Memorialist could never get any remuneration for his loss.

That your Memorialist being unacquainted with the practical part of Farming engaged with Servants who were by a Deed regularly executed in England, the Servants usually bound themselves in penalties of Fifty pounds sterling for the due performance of their services and Memorialist and his brother jointly in the like penalty. After their being located a short time Captain Trappes without the consent of your Memorialist and his brother, and much against their will, discharged two of these Servants from their obligation without any formal process or the approbation of any Court of Justice, no blameable conduct being justly imputed to your Memorialist or his brother with respect to them; the other two servants died and Memorialist could not procure labourers for upwards of two years, and when he hired a labourer he paid from two to three Rixdollars per diem, which he would have had no occasion to do had his servants not been taken from him, and which occasioned your Memorialist and his brother considerable loss and expence.

Your Memorialist therefore prays that he may be allowed to verify the above statement and that your Lordship will take his case into consideration and award him such relief as to your Lordship may seem meet.

And your Memorialist will ever pray.

(Signed) BENJAMIN WILMOT.

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[Copy.]

*Memorial of the* REVEREND WILLIAM GEARY.

GRAHAM'S TOWN, November 2, 1824.

May it please Your Excellency.

The Memorial of William Geary humbly sheweth

That Your Excellency's Memorialist, displaced from his Official Situation in Africa, feels most anxious to return with his family as early as possible to his friends in England.

That previous to his arrival at Graham's Town Memorialist having made arrangements for a stay, which he conceived would have been permanent, necessarily contracted debts which his diminished Salary and curtailed emoluments have rendered him totally unable to discharge.

That your Memorialist has also incurred considerable expence in the Improvement of the House and Premises allotted him for a Clerical Residence, as well as in the purchase of fruit trees, &c., &c., for the stocking of his Garden, which on his arrival had nearly lost every vestige of culture ; and for which, as he has reaped but little advantage from these improvements, he humbly solicits that your Lordship will be pleased to grant him a fair and adequate remuneration.

That the Sale of Memorialist's Effects (it is more than probable) will barely suffice for the liquidation of his Arrears here and at Cape Town. He therefore most humbly intreats that your Excellency will be graciously pleased to remove him from Graham's Town to his Native Country free of every Expence, for even with the enjoyment of this advantage your Lordship's Memorialist will have sustained a loss of several Hundred Pounds by his visit to Africa : an expence which he humbly submits is most ruinous to a Clergyman who has scarcely anything but his professional emoluments to depend upon for the support of himself, a wife, and a family of 3 children, and your Memorialist will ever pray.

(Signed) WILLIAM GEARY.

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[Copy.]

*Letter from the Landdrost of Albany to the Commissioners of Enquiry.*

GRAHAM'S TOWN, 3rd November 1824.

GENTLEMEN,—I have the honor to inform you, in reply to your Letter of the 29th Ultimo, that there were not any Loans granted to Individuals in 1822 in consideration of Losses sustained in building at Bathurst, no persons having availed themselves of the advance upon Mortgage offered by His Excellency the Governor in the Colonial Secretary's Letter of the 9th August 1822.

I have the honor to transmit herewith a Return of Erven sold in Bathurst so far as the documents in my Office furnish the information. I have &c.

(Signed) HARRY RIVERS.

[Enclosure.]

*Return of Erven sold in Bathurst, Names of Purchasers, Date of Sale, and Amount sold for :—*

## First Sale. 1st June 1821.

D. Gunn . . . . .	Rds. 500
H. Huntley . . . . .	455
Do. . . . .	1,100
M. Teeg . . . . .	470
W. Currie . . . . .	500
J. Knoble . . . . .	615
T. Phillips . . . . .	500
J. Smith . . . . .	560
D. Gunn . . . . .	615

## Second Sale. 1st August 1821.

John Palm . . . . .	Rds. 280
J. Jarvis . . . . .	345
A. MacDonald . . . . .	265
Thomas Mahoney . . . . .	260
John Jarman . . . . .	400

Graham's Town, 3rd November 1824.

(Signed) HARRY RIVERS.

[Original.]

*Letter from LORD CHARLES SOMERSET to EARL BATHURST.*

CAPE OF GOOD HOPE, 4th November 1824.

MY LORD,—I am honored with Your Lordship's Despatch dated the 14th June last, No. 105, and its Enclosures, requesting information respecting a Sum of Money which was left by Mr. Obermeyer who died at the Cape of Good Hope in the year 1819.

In reply I do myself the honor to forward to Your Lordship a copy of a letter with its annexures from the President and Members of the Orphan Chamber at this place, upon whom I called for the explanation required, and Your Lordship will perceive from these Papers that the Sum in question has already been paid over by Mr. J. J. L. Smuts, the assumed Executor of the late Mr. Obermeyer, to Mr. P. F. Siegrühn, the constituted Agent to the Parties interested, and that Mr. Siegrühn has (by his Statement) accounted for the amount.

I have &c.

(Signed) CHARLES HENRY SOMERSET.

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[Copy.]

*Letter from LORD CHARLES SOMERSET to the COMMISSIONERS OF ENQUIRY.*

GOVERNMENT HOUSE, CAPE TOWN, 4th November 1824.

GENTLEMEN,—In reply to your letter under date the 26th Ultimo, I have the honor to transmit to you herewith a Copy of the General Order published by Major General Sir R. Donkin on the 13th June 1821, directing the conditional discharge of the Men of the Royal African Corps that entered into contracts of service with the Officers who settled at Fredericksburg; and I have to acquaint you that according to the accompanying copy of a Letter from the Military Secretary to the Officer commanding the Frontier at that period, the Military Guard stationed at the Beka was ordered to be removed from thence on the 28th December 1821. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Copy.]

*Letter from LORD CHARLES SOMERSET to the COMMISSIONERS  
OF ENQUIRY.*

GOVERNMENT HOUSE, CAPE TOWN, 4th November 1824.

GENTLEMEN,—I have had the honor to receive your Letter of the 19th Ultimo, and in reply I transmit to you a Copy of a Letter dated the 8th May 1820, addressed by the late Colonial Secretary to the Deputy Landdrost of Clanwilliam on his representation of the impossibility of locating the Settlers on irrigable Land in the vicinity of Jan Dissel's Valley, which is presumed to be the one alluded to by you, together with a Copy of the Instructions given to Mr. Buissinne on proceeding to Clan William, to examine, and report upon the Situation of Jan Dissel's Valley and its environs.

I am not aware of any particular written instructions that may have been given by the Acting Governor to the late Colonial Secretary for the location of the Settlers in the Division of Clan William, and I therefore conclude that the Orders issued by Sir R. Donkin on this Subject must have been delivered to Lieutenant Colonel Bird verbally. I have &c.

(Signed) CHARLES HENRY SOMERSET.

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[Copy.]

*Letter from the COMMISSIONERS OF INQUIRY to LIEUTENANT  
COLONEL BIRD.*

CAPE TOWN, 4th November 1824.

SIR,—In the course of our inquiries into the distribution of Lands in the Albany District during the administration of Major General Sir R. S. Donkin, we were furnished with a Return of the Lands that had been occupied in that District prior to the Letter of the Colonial Secretary dated Bruintjes Hoogte March 1817, and in pursuance of the arrangements made in that Letter, and republished with the Government Advertisement dated the 18th April 1817.

This Return appears to have been submitted to the Acting Governor during his visit to the New Settlement in June 1820, and some instructions on each Case were appended by him, by which nine places were directed to be resumed and thirty places were provisionally confirmed to the Occupants, or suspended to be considered in Cape Town. As the names of these several Occupiers and of various other Individual Applicants do not appear in the List that has been furnished to us of Persons who have received grants of Land in Albany we are induced to apply to you in the expectation that you will be able to afford us some information respecting the steps that may have been pursued by the Acting Governor on his return to Cape Town in furtherance of the preliminary arrangements made by him during his residence in the Country Districts.

Your intimate knowledge of the transactions of the Local Government will doubtless have made you conversant with the arrangements that were the consequence of His Excellency's second visit to the Frontier, and while the Emigrant Settlers are generally disposed to bear testimony to the interest and attention which the Acting Governor appeared to devote to their affairs, their disappointment is no less generally expressed that the expectations held out to them by His Excellency, especially in regard to the extension of their Lands, should not have been realized between the interval of his Return to Cape Town in July, and of the arrival of Lord Charles Somerset in the beginning of December 1821.

As we have been unable to find any recommendation to Earl Bathurst for an extension of the Lands to the Settlers in the Despatches that were forwarded by Sir Rufane Donkin about that period, we would feel ourselves obliged to you also to refer us to any opinion he may have recorded upon that subject in the Schedules of the Colonial Office. We have &c.

(Signed)      JOHN THOMAS BIGGE,  
W. M. G. COLEBROOKE.

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[Copy.]

*Letter from* LIEUTENANT COLONEL BIRD *to the* COMMISSIONERS  
OF ENQUIRY.

LIESBEEK COTTAGE, 4th November 1824.

GENTLEMEN,—In reply to your letter of the 2nd Instant on the Subject of your Sixth Charge against me, compiled from Mr. Parker's papers, I beg to acquaint you, as you state to be ignorant of the date of the grant made to me in Strand Street, that it was signed by Sir R. Donkin on the 1st. September 1821. I am glad to have an opportunity of recording this, as I saw in some of Mr. Parker's Communications, that he had asserted that the grant was signed on the day of the Governor's arrival in the *Hyperion*, which unimportant falsehood I have now the means of refuting.

I had proposed to build on the Ground ceded to me, tho' I by no means admit, that having made you acquainted with a desultory conversation which took place between the Acting Governor and me, can with any fairness be construed into an engagement on my part to build, as you seem to interpret it.

As early as December 1821 I heard it rumoured that it was in contemplation to strip me of the Grant Sir Rufane had made me, as well as of my official Situations, which rumours naturally caused me to postpone my plan for the improvement of those properties. Early in the year 1822 I learnt that in effect remonstrances had been made against all the grants made by Sir Rufane, with the exception of *One* which I had procured for Captain Somerset near Graham's Town, and in the same year and in 1823 I heard that Sir R. Donkin had been called upon to explain the Circumstances under which he had made the grants objected to. I was also furnished with some of the answers which had been given to the Secretary of State's Call on this subject. I likewise learnt that you were directed to make inquiry into these matters, and consequently it would have been imprudent in me to have commenced building under such Circumstances.

I can scarcely think it possible so unjust a precedent can be set as that of stripping me of this grant, my Title being as valid as any Title in the Colony! Such an Arbitrary Step would

shake the value of every Title and the Security of every Mortgage in this Settlement. I obtained the grant without Solicitation, not by any misrepresentation, and if in the conversation to which I alluded in a former explanation I mentioned the inconvenience occasionally felt by the Colonial Secretary's constant residence out of Town, the correctness of the remark is confirmed by the rumoured intention of offering the new Secretary the Garden Cottage, in lieu of the allowance which has been made to those filling that Department for some years past.

With respect to the assertion that the Site is wanted for Government purposes, I remain in the opinion I before expressed. I know that Stores are to be hired on much more advantageous Terms than those for which they can be built by Government. I know that the Colonial finance is so much involved that Government ought not to contemplate building of any kind till it has extricated itself, which must be a work of much time. I know that the Merchants generally speaking would be far better accommodated, and more to their own satisfaction, by having their goods Bonded in their own Stores, under the Locks and Seals of the Custom House. But if the Site of my allotment is considered eligible on account of its vicinity to the Jetty, and the short line of Carriage which that circumstance necessitates, I also know that the object may be much better attained by erecting Stores quite close to the Jetty, where there is ample room for any Storage which this Colony may be anticipated to want under any circumstances. In the Event of a war, it will probably not be the policy of the British Government to encourage large Depots of Merchandize here, which in this defenceless Bay would only be a temptation to an active enemy to carry the place for the sake of its plunder. But if Stores must be built in defiance of common Sense, there is a most eligible Site for building them upon, one which the members of the Burgher Senate have frequently recommended as desirable to be built upon, and far preferable to my Allotment, in as much as it is high and dry, instead of low and damp as my ground is, I mean the Ground immediately facing the front of the Custom House, between the Commercial Rooms and the Canal, and in proof of my considering it equally eligible. I am willing to exchange my allotment for an equal quantity



of ground there ; if it be said that the Ground belongs to the Town, the reply is that there is a reservation of all ground which shall be required for government.

It will be clear from this that the interference you deem likely to take place in regard to my property will be an unnecessary act of arbitrary injustice, and one which I am convinced the Secretary of State would not direct or sanction if he were correctly or impartially informed on the Subject. That even Lord C. Somerset will upon better reflexion take the Step you appear to know he contemplates, I cannot bring myself to believe, as it would be obvious that his sole design would be to inflict further injury on the Individual he has so cruelly ruined ; indeed I cannot reflect without astonishment that he should wish to deprive me of this trifling allotment when I put before me a Letter he wrote to me a short time before he went to England in answer to an Application I had made for some Land which happened not to be vacant, in which his Lordship says " I regretted that the Land asked for was not disposable, because it was the very thing you had ever suggested that I could do for you, I hope however in the range of the Colony you will find something advantageous, that I could make over to you. Goulbourn's Letter to you is a proof that in doing anything advantageous for you I should be only following up the wishes of Lord Bathurst." And I can at times scarcely bring myself to think that the man who has done me so much underhand injury and injustice during a persecution which has lasted three years, is the same person who wrote me the following lines on having had his Government saved to him by my exertion : " I feel myself inadequate to express my gratitude to *you* for the great share you have had in placing my Conduct in a proper point of view, I have suffered even more than you can imagine, and I am convinced that unaided by *you* I could not have resisted the Torrent of Calumny poured against me." I remain &c.

(Signed) C. BIRD.

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[Copy.]  
*List of Grants made to certain Individuals at the Cape of Good Hope.*

Date of the Grant	Parties' Names	In what District situated	Extent			Quitrent
15 Nov. 1808	Sir J. A. Truter, Knight	Cape District . . .	1 Morgen	30 Roods	2 Rds. per annum.	
" " 1 July 1816	do.	do. . .	9	168 "	8 "	"
" " " "	do.	Swellendam District	927	282 "	51 "	"
" " " "	do.	do. . .	2774	24 "	234 "	"
" " " "	do.	do. . .	1503	520 "	42 "	"
" " " "	do.	do. . .	729	240 "	23 "	"
5 August 1823	do.	do. . .	1863	"	10 "	"
" " 2 July 1811	do.	do. . .	850	320 "	10 "	"
24 June 1813	do.	Cape District . . .	2	245 "	Freehold	"
24 Sept. 1813	do.	do. (Green Point)	3	246 "	do.	"
" " " "	do.	Swellendam District	517	495 "	do.	"
1 May 1823	Harry Rivers, Esqre.	do. . .	2816	125 "	do.	"
11 Dec. 1822	do.	Albany District	3106	"	36 Rds. per annum	"
" " 15 Oct. 1813	Henry Alexander, Esqre.*	do. . .	1	181 "	Freehold	"
6 Sept. 1814	do.	do. . .	1	181 "	do.	"
7 July 1815	do.	Stellenbosch District	3000	45 "	250 Rds. per annum	"
7 Dec. 1810	do.	do. . .	5	"	12 "	"
2 July 1811	do.	George District	2717	36 "	100 "	"
29 April 1818	do.	Cape District (Green Point)	36	74 "	Freehold	"
15 Nov. 1820	Henry Ellis, Esqre	do. (Kerstenbosch)	107	445 "	do.	"
" " " "	do.	do. . .	5	450 "	do.	"
" " " "	do.	do. . .	10	564 "	do.	"
" " " "	do.	Albany District	1	510 "	do.	"
" " " "	do.	do. . .	1	29 "	do.	"

Those marked \* have been disposed of by the Original Grantee;

4th November 1824.

(Signed) P. G. BRINK, Acting Colonial Secretary.

[Original.]

*Letter from the REVEREND DR. MANUEL to R. WILMOT  
HORTON, ESQRE.*

CHURCH STREET, STOKE NEWINGTON, *November 4, 1824.*

SIR,—I have the honor to inform you that the Revd. George Morgan has just arrived in London, and is in readiness to proceed to Holland to acquire a knowledge of the Dutch Language, previous to his going to fill a charge in the Church at the Cape of Good Hope. I beg leave to transmit to you an Extract of his License and Ordination from the Presbytery of Lochcarron in Scotland, which you will find, I have no doubt, regular and correct ; and also a Letter of Security from the Revd. John Murray of Aberdeen and Professor Tulloch of the University there.

Mr. Morgan's residence at present is at No. 26 Walbrook in the city. He will feel much obliged by being informed when he may apply to the Colonial Agent for the Government allowance to defray his expences in Holland. I have &c.

(Signed) WM. MANUEL.

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[Copy.]

*Letter from the Landdrost and Heemraden of the Cape  
District to the Commissioners of Enquiry.*

LANDDROST'S OFFICE, CAPE DISTRICT, *November 5th 1824.*

GENTLEMEN,—We have the honor to transmit to you a Statement of the manner in which the Sum of Thirty Thousand Rix Dollars advanced by the Colonial Government in 1822 for the relief of the Inhabitants of the Cape District who suffered severe losses by the storm of that year, has been distributed. And we further take the liberty to add that according to the conditions on which the Loans were made, the Individuals who were assisted from the said fund will have to pay 10 per Cent of the principal advanced *on the 1st of January next*, and

to continue the same annually until the whole Amount received by them shall be liquidated. We have &c.

(Signed) J. W. STOLL.

By Order of Landdrost and Heemraden of the Cape District.

(Signed) W. A. WENTZEL.

[The list of names of persons to whom money was advanced, with the names of their securities and other particulars, covers eight pages of manuscript, and it seems unnecessary to give it here.—G. M. T.]

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[Original.]

*Letter from the COMMISSIONERS OF ENQUIRY to R. WILMOT HORTON, ESQRE.*

CAPE TOWN, CAPE OF GOOD HOPE, 6th November 1824.

SIR,—Since transmitting our original report dated 12th October 1824 upon the grants of land made by His Excellency Lord Charles Somerset to Mr. Redelinghuys, the preparation of the duplicate has led us to suspect that a clerical error in one passage of the original has been inadvertently overlooked, and as it involves a very material question we think it right to bring it to your notice.

At page 129 of your Duplicate report you will find the following passage :

“ We are not prepared to say that it would have been easy to have apportioned land adequately supplied with water sufficient for more than *two* independent estates out of the Tract that was conceded to Mrs. Louw.”

Now we have reason to believe, that on reference to the same passage in the original you will find it stated by mistake “ *one* independent estate.”

As the continuance of this error in the original would materially affect some of the reasoning in the subsequent pages, and is absolutely repugnant to another passage near the end of the report, we have the honor to request that the mistake may be rectified. We have &c.

(Signed) JOHN THOMAS BIGGE,  
WILLIAM M. G. COLEBROOKE.

[Copy.]

*Letter from MR. WILLIAM JONES to JOHN GREGORY, ESQRE.*

CAPE TOWN, 6th November 1824.

SIR,—In compliance with your Letter of the 3rd Instant I beg leave to acquaint you for the information of His Majesty's Commissioners of Inquiry, that I have minutely examined the vacant allotment of Ground adjoining the Custom House in Strand Street, and taking into consideration the local situation thereof, so contiguous to every public place of Business for any commercial concern with the present Building Materials now laying thereon considering them as the property of Government to be well worth the value of Twenty one Thousand Guilders.

And I beg leave to observe that when first those premises attracted my notice, about four years ago, then containing a great quantity of useful Building Materials of a very good quality, a merchant then in Cape Town I heard to say that he would have been glad of the opportunity to accept them for Thirty Thousand Guilders as being so well situated for Building of Stores, and according to the size of the place I conceive there are no premises in Cape Town more eligible for such purposes.

I have &amp;c.

(Signed) WILLIAM JONES.  
Inspector of Government Buildings.

[Original.]

*Memorial of MR. JAMES SAUNDERS KING.*

To the Right Honorable Earl Bathurst, His Majesty's Principal Secretary of State for the Colonies &c., &c., &c.

The Humble Petition of James Saunders King at present residing in London Sheweth

That your Petitioner after having served nearly twelve years in His Majesty's Navy, entered into the Merchant Service at the termination of the War, and for the last three years has

been chiefly employed, on the South and East Coast of Africa, where he acquired much valuable information relative to the Rivers, and places on the latter coast, which has been communicated to your Lordship.

That in the course of prosecuting these Enquiries, your Petitioner, in the early part of 1822 visited the Bird and St. Croix Islands, which lay to the East of Algoa Bay, on the S. East Coast of Africa, and found the same uninhabited, but abounding with seals, fish, &c., and that your Petitioner was induced to leave ten Men with a large quantity of Provisions, and other necessaries for the purpose of preserving Seal Oil &c. and upon his return to the Cape of Good Hope, he presented a memorial to His Excellency Lord Charles Somerset, praying that he would be pleased to grant him the privilege of fishing and catching Seal, &c., on the said Islands, and being the first applicant, he sanguinely hoped that the same would have been granted, but His Excellency was pleased to return in answer, stating the Petition could not be complied with, as his Excellency would not alienate portions of that nature.

That your Petitioner was much disappointed by this refusal, but he implicitly trusted to the grant not being given to any other person, and that he might at least be permitted to Seal and Fish, on equal terms with any other Individual. He was therefore much surprised when on his return to those Islands, some time after he found them in the possession of by Mr. Korsten a Dutch Merchant, from the Cape, who had warned off your Petitioner's men, and had prevented them from prosecuting their trade or preserving or curing about 3,000 seals which they had caught, alleging that he had obtained an exclusive Grant of those Islands, from Lord Charles Somerset.

That your Petitioner, was then exposed to a serious loss and much inconvenience.

That your Petitioner is now about to return to the Cape of Good Hope, and humbly trusts that under all the circumstances, stated your Lordship will be pleased to grant him an exclusive right to the said Islands upon his finding satisfactory security for the payment of such rent as your Lordship may deem reasonable, or that your Lordship will give such directions to the proper Authorities at the Cape, as

will ensure to your Petitioner a fair and equal right to participate in the Trade of these Islands of Sealing and Fishing thereon.

And your Petitioner will ever pray.

(Signed) JAMES SAUNDERS KING.

LONDON, Nov. 7th, 1824.

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[Original.]

*Letter from the COMMISSIONERS OF ENQUIRY to EARL BATHURST.*

CAPE TOWN, CAPE OF GOOD HOPE, 8th November 1824.

MY LORD,—At the end of the 82nd Document in the appendix to our report upon the grants of land made by His Excellency Lord Charles Somerset to Mr. Redelinghuys, your Lordship will find a memorandum stating that we were unable to authenticate the copy of Lord Charles Somerset's note to Mr. Smith in consequence of our not having seen the original.

Mr. Woodcock having since put us in possession of this document we have ascertained the correctness of the copy given in the appendix.

The imperfect state of the note rendered it necessary for us to apply to His Excellency for an explanation of the circumstances that gave rise to the communication and to the injunction contained in it, and we have now the honor to transmit a copy of Lord Charles Somerset's letter to us in reply, by which your Lordship will perceive, that the note originated in an application from Mr. Redelinghuys in the early part of the year 1823 for the grant of the Hantam Mountain, accompanied by some proposal for the purchase of an English Horse, and which called forth the same injunction from Lord Charles Somerset that we have already noticed to have been given by His Lordship in the instance of other proposals of the same description. We have &c.

(Signed) JOHN THOMAS BIGGE,  
WILLIAM M. G. COLEBROOKE.



[Enclosure 1 in the above.]

GOVERNMENT HOUSE, CAPE TOWN, *November 5th 1824.*

GENTLEMEN,—I have the honor to acknowledge the receipt of your Letter of the 30th ultimo, and to state in reply that the occasion which induced me to address the Enclosure (which I have the honor to return) to a Person named Smith, was as follows :

In the early part of the year 1823 it became necessary to purchase a considerable number of Horses for the Cape Cavalry, which being made known, Mr. Smith made an application stating that he had been in the habit of purchasing Cattle and Horses in the Interior, that he was well acquainted with nearly all the Horse Breeders in the Distant Districts, and could procure any number of Horses superior to those which could be obtained in the vicinity of Cape Town at the Dragoon price. He was in consequence directed to come to Newlands to meet Colonel Somerset and to see specimens of the sort of Dragoon Horse required. He attended accordingly, and the Military Secretary drew up a written Document, purporting that he should receive 200 Rds. for every Horse *approved* at Cape Town.

Whilst at Newlands, he stated that he knew several Horse Breeders who were desirous to purchase English Stallions, and begged to know if I had any at that time for disposal. I informed him that I had one left, which he might recommend to any Breeder *who possessed good Mares*, and that payment should be made at any period that might suit the convenience of the Purchaser.

Some time afterwards I received a Letter from him stating, that a Mr. Redelinghuis was anxious to purchase an English Horse, provided he succeeded in the application he had made to Government for an extent of Grazing Land called the Hantam Mountain and stating also that the Breeders were anxious that some means should be adopted by Government to prevent persons from turning Stallions to graze in the neighbourhood of Mares.

I regret that deeming Mr. Smith's letter of no consequence I did not preserve it. In justice however to Mr. Smith and



Mr. Redelinghuis, I do not believe that either of them had any intention of connecting the Grant of Land with the purchase of a Horse; but that they merely meant to state that the purchase rested on Mr. Redelinghuis coming into possession or not of an increased extent of Grazing Land, and bringing it to my knowledge that the Horse might not be otherwise disposed of; but I thought proper to answer it in the manner I did, to set Mr. Smith and every person with whom he might communicate relative to an English Stallion, quite right upon the Subject.

Indeed from the first moment of my anxiety to introduce the improved Breed of Horses here I took care on every occasion to have it explained, that nothing of a Public nature could be mingled with any transaction of the sort. The Horse in question was subsequently disposed of to Mr. Van der Merwe in the Worcester District. At the time of receiving Mr. Smith's letter (nor until the late discussion respecting the Sorcerer Colt) it did not occur to me that Mr. Redelinghuis was now the husband of the Widow, who in conjunction with two other Persons had purchased an English Horse between 5 and 6 years previous.

This Horse Sorcerer was, as you already know, lately sold to Mr. Kotzé, and I was yesterday informed by a Mr. Kirsten, (a friend of Mr. Kotzé and who had just arrived from his House in the Country) that the Horse had already this Season had 30 Mares at 50 Rds. each, and that Mr. Kotzé had refused applications for many more, thus clearing 1500 Rixdollars in two months by the Horse, exclusive of his serving all Mr. Kotzé's own Mares. I have &c.

(Signed) CHARLES HENRY SOMERSET.

His Majesty's Commissioners of Enquiry.

[Enclosure 2 in the above.]

Lord Charles Somerset has received Mr. Smith's Letter, and begs to inform him that he cannot permit an allusion even to the appropriation of Government Property to form any part of a transaction in the disposal of a Horse. As far as Lord Charles' recollection serves him, Mr. Redelinghuys has applied

for the Hantam Berg, and the application has some time since been referred to the proper Officer for report.

Should there be no objections on Public Grounds, and with a due regard to the interests of others, Mr. Redelinghuys will have the grant at the valuation which may be fixed ; but if there are grounds of objection, Mr. Redelinghuys cannot have it. Lord Charles requests that Mr. Smith will understand and will impress upon Mr. Redelinghuys, that the purchase of the Horse cannot have the slightest influence in regard to the granting or withholding the land asked for. Lord Charles begs to add that a Proclamation will be issued before the next breeding season which will effectually prevent Stallions being allowed to graze near a troop of Mares. Mr. Melk and Mr. Jacob van Reenen, Mr. Van der Byl, and others have been desired to state their opinion of the best mode by which this object can be . . . . .

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[Copy.]

*Letter from the* COMMISSIONERS OF ENQUIRY *to* LIEUTENANT  
COLONEL BIRD.

CAPE TOWN, 8th November 1824.

SIR,—We have the honor to acknowledge the receipt of your letter of the 4th November, in reply to our Inquiry respecting the circumstances that might have operated against the fulfilment of your intention to build upon the allotment of Land granted to you in Cape Town by the Acting Governor Sir R. Donkin. We have in the first place to thank you for furnishing us with the date of the Grant, for altho' you have been pleased (we are willing to believe from mistake) to designate the charges compiled from Mr. Parker's Papers, as ours, we beg to assure you that we are not the less strongly impressed with the importance of receiving all information that may tend either to correct or disprove them, or that may have the effect of placing in its true light the intention of their real author.

In the next place we hasten to endeavour to correct the view that you seem to have taken of the inference we drew from your conversation with Sir R. Donkin. We did not consider

your reference to that conversation in any other light than an explanation of the reasons, that formed part of the inducement of Sir R. Donkin to bestow the Grant, and we were led to consider that explanation incomplete, until we had ascertained the reasons for not executing the Intentions you had expressed.

This view of the subject was strengthened by the appeal that you had made to the Policy that appears to have governed the donation of an allotment in Cape Town to Mr. Harrington, a policy that we are much disposed to approve, but the value of which obviously depends upon the expedition with which it is carried into effect; for we hardly can conceive a system more injurious to the Public interests than that of distributing valuable allotments in a Town where the population is increasing, and House Rent very high, without some security or at least an adequate expectation that they will be built upon within a reasonable time.

We certainly did conjecture that some reasons of a Public nature had prevented you from carrying your intention of building into effect, and we have now the satisfaction of knowing from yourself the nature of those reasons.

We must further beg leave to assure you that we disclaim all knowledge whatever of any intention either on the part of His Majesty's Government, or of His Excellency Lord Charles Somerset, to impeach the validity of the grant in question; and we only pointed out to you in our letter the objection that we thought most likely to be made to it from the knowledge we have that the alienation of Land in the Colonies, without due consideration of the future wants of the Public, is a source of perpetual embarrassment and considerable expense to His Majesty's Government. Whether any such consequences will ensue from the grant of the allotment made by Sir R. Donkin to you is a question that we shall have to submit, and we hope with impartiality, to the consideration of Lord Bathurst; in the meantime we think it right to observe to you that the project of building a new jetty at the end of Graave Street or thereabouts is a measure which has been much recommended, and if carried into execution would either require that the access to the Town should be enlarged, or would occasion an extension of Government Buildings in the immediate neigh-

bourhood. We are not prepared to say whether the offer that your letter contains of exchanging your allotment for a vacant piece of Ground facing the Custom house and between the Commercial Buildings and the canal, would be likely to meet with approbation, but we should certainly conceive that if such an arrangement were called for, in order to secure the Public Convenience, a more conclusive argument against the expediency of the grant that has been made to you could not be found. We have &c.

(Signed) JOHN THOMAS BIGGE,  
W. M. G. COLEBROOKE.

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[Original.]

*Letter from* SIR RUFANE SHAWE DONKIN *to* R. WILMOT  
HORTON, ESQRE.

21 QUEEN STREET, GROSVENOR SQUARE, *November 8th, 1824.*

SIR,—I had the honor of receiving your letter of the 18th of October some days ago, but I have not been able to answer it till now owing to the search I have been obliged to make amongst my papers for the explanation required relative to the conditional purchase of the Loan Place called the Wolvegat on the River Zonderend at the Cape of Good Hope, and which I now beg leave to submit for Earl Bathurst's information.

When His Majesty's Government announced the immediate departure of the Settlers for the Cape it became necessary for the Local Government to be quite prepared for their Reception.

Amongst other things, it was represented to me by the Local Authorities who best understood the Colony from having held office and resided in it for many years, that, if five or six thousand Settlers (or even more, as the probable number was not at all known) were to be thrown at once into the Zuureveldt, the greatest Confusion and difficulty of subsistence must arise.

These considerations appear to have induced those Gentlemen (to whose judgment at least in the outset of my administration, it became me to defer) to recommend to me to make arrangements for drawing off a part of the Settlers, and placing some of them near Clanwilliam, and some of them near the Wolvegat

on the River Zonderend, which would not only prevent too sudden an Influx into the Zuureveldt, but would diffuse agriculture and Industry over other Parts of the Colony.

On those Principles a district near the Wolvegat was allotted to the Parties of Captain Campbell, Two Messrs. Griffiths, Mr. Neave, and Mr. White from Liverpool ; but, as it was represented to me that no Establishment of Agriculturists could succeed unless some grazing land was at hand, and, as there was not a sufficiency of it adjacent to the intended Locations of the above named Parties, altho' the quantity of arable Land there was great, I authorized the *conditional* purchase of the valuable grazing Farm of the Wolvegat to attach it to, and to make complete those Locations.

As all this occurred before I had been three months in the Government, and, as I had not yet travelled through the Colony, I took my impressions from those I thought most competent to advise me, and, I feel it but just to those Gentlemen to say that my subsequent personal acquaintance with the Colony and with the practice of its agriculturists, fully bore out the advice they gave me.

On the arrival of Captain Campbell, and the other Heads of Parties above named, the offer of these Locations was made to them, but, with the distinct understanding that they were to pay for the Wolvegat, beginning as soon as they had gotten a Crop off the Ground. This purchase, therefore, which cost about £1100 Sterling, was never meant to fall on the Colony, but, like other advances made afterwards to the Settlers in Albany was to be paid off by Instalments.

This option appears not to have been agreeable to Captain Campbell, the Messrs. Griffiths or Mr. White. The first and last of those Gentlemen preferred going on to Albany, and Messrs. Griffiths settled near Cape Town.

Mr. Neave, alone, went to the Wolvegat, and He, in fact, is subject to the Payment of the Purchase Money, altho' under all the Circumstances, I do not think it would be just to lay the whole on him ; and, if this were done, I do not think he could pay it. I hope that the above explanation of the Principles on which this provisional arrangement was made will be satisfactory to Earl Bathurst.

In regard to the Statement made in the dispatch of the

Governor of the Cape that the place would not now fetch more than 4600 Rixdollars, I am not at all surprised at it ; but, my opinion is, that this depreciation is only temporary, and that it is connected with a variety of Causes which have brought about a depreciation of Property throughout the Colony, and, I beg leave to state my persuasion that at some future period (probably not a distant one) this depreciation will disappear.

Lord Bathurst will have seen a proof of this depreciation in the late Transaction between the local Government and Mr. Wm. Parker, who was released from his purchase of the Estate called the Old Post, which He had bought openly at Auction for 13,333 Rixdollars, but which, when some months after, the Governor cancelled the sale to accommodate Mr. Parker, sold only for 6666 Rds., by which a loss was sustained by the Public of 6667 Rds., and, I could cite a number of other Facts to demonstrate the Actual Depreciation of Property at the Cape ; but, I respectfully submit my belief that if the Farm of the Wolvegat be kept by Government for some time longer, it will be resold for at least its original cost.

I have &c.

(Signed) R. S. DONKIN.

P.S. I perceive on looking again at the Governor's dispatch that the Purchase was made by Mr. Buissinne, then acting Inspector of Lands and Woods ; and, of whose Integrity as well as judgment I at that time had the most favorable opinion, (altho' He has since become a public defaulter,) which opinion was founded on the high Terms in which Lord Chas. Somerset had introduced Mr. Buissinne's name to me, but more especial in a Memorandum, still in my possession, delivered to me by his Lordship, in which He particularly requests me to consider the Claims of Mr. Buissinne, and, in consequence of which, I not only placed much confidence, generally, in Mr. Buissinne, but I gave him soon after that office of Trust in which he so much misconducted himself. I have mentioned this, merely to shew that, at the Time, I took the best opinion I could as to the value of the Wolvegat, namely, that of the Man who by his office of Inspector was my fittest authority, and who moreover had so lately been strongly recommended to me both

verbally, and in writing, by Lord Chas. Somerset, whose opinions of the public officers of the Colony I felt myself bound to respect, at least in the beginning of my administration when my own personal Information was but slender.

R. S. D.

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[Original.]

*Letter from LORD CHARLES SOMERSET to EARL BATHURST.*

CAPE OF GOOD HOPE, 9th November 1824.

MY LORD,—On the receipt of Your Lordship's Despatch of the 11th June last, covering a correspondence which your Lordship has had with the Count Munster respecting the claim of the Revd. Mr. Hesse to the reimbursement of the Expences incurred by him in effecting his return to Europe, I communicated with the Board of Churchwardens of the Lutheran congregation on the subject, and learn that Mr. Hesse returned to Europe in June 1817 on leave of absence, and that he received his full salary from the Church here fifteen months subsequent to his departure, when he informed his constituents at this place, that it was not his intention to return, having obtained a Ministry in Hanover.

Under these circumstances I regret that I cannot consider Mr. Hesse to have any claim to the remuneration he solicits.

I have &c.

(Signed) CHARLES HENRY SOMERSET.

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[Copy.]

*Letter from MR. WILLIAM HAYWARD to the ACTING COLONIAL SECRETARY.*

ALBANY, 9th November 1824.

SIR,—I have the honor to acknowledge the Receipt of your letters dated 7th and 30th September transmitting me Memorials of J. T. Erith and Jane Erith for my report thereon. I

am now enabled to forward to you such Report, which I request you will lay before His Excellency the Governor.

I have &c.

(Signed) W. HAYWARD.

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[Copy.]

*Report by MR. WILLIAM HAYWARD on the Memorial of JAMES THOMAS ERITH, dated 30th August 1824, and of JANE ERITH, dated 23rd September 1824.*

With regard to the claim of J. T. Erith for indemnification for the loss of Cattle taken by the Caffres, I have been informed by the Landdrost of Albany that the applicant has been repeatedly answered that there was not cattle sent to him sufficient for distribution to all who had sustained losses, he would otherwise have had his share.

I infer that J. T. Erith might have been late in his application.

With respect to the prayer that the diagram of the Location may be delivered to J. T. Erith, and in connection therewith the statement of Jane Erith that information has reached J. T. Erith that the Land (once Mr. Damant's) is to be divided into three shares, viz. Dixon, Eatwell, and Whittle, the following information is submitted.

That the party had been dissolved shortly after being first Located, and J. T. Erith was absolved from any connection with it previous to his removal to Mr. Damant's resigned Location at Waay Plaats. That James Thomas Erith having built upon W. T. Dixon's Location and persisting in remaining there notwithstanding repeated warnings, was at length ejected by Authority, and the House destroyed in August 1822. He afterwards built a hut on his own Location, close to the Boundary of Dixon's, but left the place in the latter end of 1822 and went to Graham's Town, and subsequently to Cape Town.

That when the circumstances connected with this case



were communicated to me I was told that Government intended to resume the land as being abandoned, and several Persons applied to be placed thereon. On application to the Landdrost for further information on this point, he said that he had always considered the Government would resume, but he had no Official directions to that Effect. That J. T. Erith's property was under Sequestration.

It remained for me therefore to draw up my report upon such application, which should have been done in due course, and to have submitted whether it was the fact that Government had resumed, or intended to resume the Land.

T. Whittle originally belonged to Erith's party; he applied to be admitted to a portion of the Land therein.

W. T. Dixon's Location adjoins Erith's, he applied for a grant of a portion of the latter.

W. Eatwell came out as a servant, and having no land but what he had occupied on sufferance, prayed for a small grant of Land, and said a piece on Erith's Location would suit him.

Further S. Bouvin pointed out Erith's Location as abandoned, and requested the Grant thereof.

Wilson's Party requested a portion of Erith's Location which adjoins theirs.

To all these several Applications, no other answer was returned than that I had no official Information that the Government had resumed Erith's Location, but that I should duly report on the merits of the several claims, and submit to Government whether that Land was resumed or intended to be resumed.

Having procured from the Commissariat the Vouchers for issue of Stores and Provisions in detail to J. T. Erith, I have drawn up therefrom a General Statement of particulars, which is herewith transmitted, by which it appears that the Local Charge against James Thomas Erith is correct.

(Signed) W. HAYWARD.

ALBANY, 9th November, 1824.

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[Original.]

*Letter from* LORD CHARLES SOMERSET *to* EARL BATHURST.

CAPE OF GOOD HOPE, 11th November 1824.

MY LORD,—On being honored with Your Lordship's despatch of the 29th March last, No. 94, I directed Mr. Hayward, who is (as I have already had the honor to report to Your Lordship) employed on a Commission to settle the differences of the Settlers, to investigate minutely on the spot the circumstances of Mr. Wilson's claims, and ascertain his conduct towards his party. I have now the honor to transmit Mr. Hayward's report received this day, which I trust your Lordship will consider complete and satisfactory.

It will probably appear to your Lordship that Mr. Wilson has no just claim whatever. I have the honor also to forward Copy of a Memorial received by this post from the Settlers of Mr. Wilson's Party who consider themselves defrauded of Five Pounds Sterling each by said Wilson. I take the liberty of adding a private letter which has been addressed to me by the Revd. Mr. Boardman, who whatever may be his failings or misfortunes, has certainly been very meritorious in his conduct and humane attention towards the Persons who came to South Africa under Mr. Wilson, but whom Mr. Wilson immediately abandoned on their arrival. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Enclosure 1 in the above.]

ALBANY, 30th October 1824.

SIR,—In obedience to the Commands of His Excellency the Governor conveyed to me in your Letter dated the 8th instant, I lost no time in reassembling as many of Willson's Party as could be collected, and have the honor to transmit you herewith the result of my enquiries upon the subject referred to my investigation.

On my visit in September last I had settled the affairs of the Party agreeably to the Instructions received from His

Excellency, and on this my second visit I found no reasons to  
 enduce me to alter the arrangements already made.

I have &c.

(Signed) WM. HAYWARD.

P. G. Brink, Esqre., Acting Colonial Secretary.

[Enclosure 2 in the above.]

ALBANY, 1st November 1824.

SIR,—I have the honor to forward herewith a Memorial  
 from Willson's Party, and have to request you will present it  
 to His Excellency the Governor. I have &c.

(Signed) GEORGE MARSH.

P. G. Brink, Esqre., Acting Colonial Secretary.

[Enclosure 3 in the above.]

18th October 1824.

May it please your Lordship.

We, the Undersigned, being Settlers of Willson's party, beg  
 leave to represent to you that coming out with Mr. Willson,  
 we were induced to put into his hands, over and above the  
 Government deposit of £10, the sum of £5 for each Man, *to be  
 by him repaid in Stores, or other necessaries on our landing* ;  
 soon after our arrival he issued to us Government Stores, on  
 account, as he said, of the above £5 ; but which we now find  
 to be placed to the 2nd and 3rd Instalments of our deposits.  
 We therefore humbly request that your Lordship will be  
 pleased to order an investigation on the subject, as we conceive  
 that he has swindled the party out of three or four hundred  
 Pounds.

We also beg to observe that there was paid by each of us  
 5 per Cent as Agency for all Money put by us into his hands.

(Signed)	W. CURRIE	THEOPHILUS GYFFORD
	ALEXR. BISSOP	THOMAS BROWN
	THOS. FODEN for £2	W. STANTON
	JOHN SMITH	MORRIS HOMAN
	ROBT. PIRIE	RT. HORN
	JOHN PARDON	JOSEPH GOODLEY

J. DONOVAN	HENRY LLOYD
JOHN WHYBREW	WM. BOND
JAMES WILMOT	JAS. RATHBONE
RICHD. PEACOCK	WIDOW JANE DOLD
JAS. WHEELER	WILLIAM DOLD
JOHN PRATT	JOHN M. DOLD
JAMES LANCE	THOMAS CLARKE
JAMES MUNDLE	BENJ.M. N. SIMMONS
R. GODDARD	THOS. S. BROWN
THOS. PALMER	

[Enclosure 4 in the above.]

BEAUFORT VALE, 29th October 1824.

May it please your Excellency.

In obedience to your Excellency's Command I have put into Mr. Hayward's hands a Statement of the relation in which I stood with respect to the constituted Agency, with which Mr. Willson is pleased to honour me ; which will, I trust, prove satisfactory to yourself as well as the British Government.

As you will see the Statement I need not animadvert, at present, on Mr. Willson's assertions ; but think that I am bound in justice to myself to lay before your Excellency the inclosed extracts taken from letters written by Mr. Willson to Earl Bathurst and myself ; by comparing of which your Excellency will be enabled to judge how far his ipse dixit is deserving of Credit.

To his insinuation with regard to my ingratitude, &c, on account of which he removed his boys from under my charge, I know not how to reply unless it be brought forward in a specific form, for which, with your Excellency's approbation, I will call upon him. I remember that once on Shipboard I refused to instruct, or to take any notice of the eldest on account of his insolence and disobedience, until he had condescended, at his father's request, to make an apology ; and I have reason to believe that his mother never forgave my conduct on that occasion. Had he with his family come to reside on the location I am persuaded that he would have been much more ready to put his Children under my tuition than I should have been to receive them, as (with the exception of the

youngest a most docile, ingenuous, sweet tempered boy), they were the most disorderly, refractory, and incorrigible that I ever had the misfortune to meet with.

Your Excellency will be pleased to pardon my prolixity in this respect, as Mr. Willson's insinuations, if Credited, may be seriously prejudicial to me in your Excellency's estimation with regard to the establishment at Bathurst, on the duties of which I am anxious to enter, and which I purpose, by God's blessing and assistance, assiduously and conscientiously to fulfil.

If required I can obtain the most satisfactory Testimonials from the Governors of the Grammar School in Blackburn to prove that I am neither ignorant of, nor inattentive to my duty, as well as from many of my former pupils, now eminent in the professions of Law, Medicine, and divinity ; who, if I could submit to the humiliation of dependence, would support me in affluence on my return to Britain.

In one instance I confess my ingratitude. I do not, nor ever shall, I fear, feel any grateful sentiments for what he terms his constituted Agency in one of the most turbulent, contentions, and fraudulent parties that ever landed on the Shores of Africa ; but feel some satisfaction in having discharged the duties of that Office (as the party confessed in Mr. Hayward's presence) with fidelity, impartiality, and disinterestedness.

I have endeavoured to reconcile Mr. Willson's representation of me to Earl Bathurst with his letters to me, which breathed nothing but friendship and esteem, and cannot, in charity, attribute the discrepancy to anything except mental derangement.

The proceedings in this part of the Colony have been, and will be, laid before your Excellency ; they will prove, I trust, equally honourable to Mr. Rivers and the Settlers in general ; and that, notwithstanding the efforts of a few discontented and actively restless individuals, as I have had the honour of observing to your Excellency, that the Settlers are not disaffected, or discontented with the Government. Gratefully acknowledging your Excellency's attention to the Settlement in general, and to myself in particular. I have &c.

(Signed) WM. BOARDMAN.

[Enclosure 5 in the above.]

BEAUFORT VALE, 19th October 1824.

SIR,—In obedience to His Excellency's Commands to communicate to you satisfactory proofs that I have acted in this party as Mr. Willson's constituted Agent, and not as head of the party, I beg to state that I do not look upon myself as Mr. Willson's constituted Agent; but that I undertook the Office of settling the party in order to prevent the confusion that would have taken place in consequence of Mr. Willson's desertion of us the morning after our arrival here.

The following is a correct statement of the case: Just before his departure Mr. Willson took me aside, and, saying that he was going to Algoa Bay to conduct his Wife and Family to the locations, put into my hands a paper containing the arrangement by which each of the party was to be set down on his respective allotment, requesting that I would locate the party in his absence, and promising to return in a fortnight or three Weeks at farthest; he then departed immediately, and I have never seen him since. I have at various times received letters from him, particularly from Algoa Bay, containing excuses for the nonfulfilment of his promise, and intimating that he would shortly come among us; some of those letters, I am sorry to say, are destroyed or lost; but from what remain the inclosed extracts will shew how far his assertions are deserving of Credit. I have until now (most reluctantly I confess) conducted the business of the party with fidelity, impartiality, and disinterestedness, yourself have seen an instance of their gratitude, and Mr. Willson's letter to Earl Bathurst will give you a specimen of his.

Although I never considered myself Mr. Willson's constituted Agent, and was not well pleased at finding myself trepanned, as it were, into a most difficult, unpleasant, and thankless office; yet, not knowing the intentions of Government with respect to the vacated lands, and believing that he would return to us at some time or other, I thought myself bound in honour to resist any infringement on what might at a future time be considered by Government as his rights. How the Government will decide on the question I know not; but am free to declare that, should Mr. Willson's claims be admitted,

the arrangements which you have so impartially and judiciously made must be set aside ; and all who are on the location will be under the necessity of abandoning it, as not one of them will be able to live thereon.

If Mr. Willson can justly claim the vacated lands in our party, permit me to ask, whether all other heads of independent parties have not at least an equal claim to the vacated lands on theirs, or if he claim for services done, what may not I expect, who have not only borne the burden and heat of the day, but also expended two or three hundred Rixdollars at least in their Service, without any remuneration ?

If I draw a right inference from the papers which have passed between Earl Bathurst and Mr. Willson, he appears to claim the 2nd and 3rd instalments of the deposits of the party paid through his hands to Government ; if that be the case it is a piece of assurance that I could not have expected even from Mr. Willson.

With respect to his insinuation that he paid my deposit, which was never reimbursed by me, the enclosed receipt will, I trust, satisfy the British Government on that head.

The other calumnious misrepresentations, unconnected with the subject of what he terms my constituted Agency, I shall not trouble you with at present. However, I am persuaded that it will give you pleasure to learn that the means of refuting them, and of placing his duplicity in a very conspicuous light are in my power ; and that I shall omit no opportunity of doing justice both to myself and him.

Conceiving myself under no obligations either to Mr. Willson or the party, and being perfectly indifferent as to the disposal of the vacated land, I beg to lay before you this true statement of the case, which I trust will satisfy the British, as well as the Colonial Government, and remain &c.

(Signed)      WM. BOARDMAN.

Observation. In every case of constituted Agency I apprehend that some sort of contract or agreement must have been entered into between the principal and Agent ; but I most solemnly assert, and am ready to testify on oath, that such stipulation or agreement was never made between Mr. Willson and myself ; with regard to his assertion that “ he brought me

out to act as his Agent in case of his return to England," I hereby declare that (if such were his intentions) he, from first to last, concealed them from me.

[Enclosure 6 in the above.]

*Questions proposed to Willson's Party at a meeting before MR. HAYWARD on the 27th October 1824.*

No. 1. What occurred between Mr. Willson and his Party at Algoa Bay and to which he alludes in his letter to Earl Bathurst dated 10th May 1823 and pleads as an excuse of Non residence ?

Answer. His attempting to obtain the signature of the Party to certain Papers wherein he wished to assume such Powers as the Party refused to allow him first led to differences, next, his attempt to retain the first Instalment, and afterwards to pay it to the Party at 10 Rixdollars instead of 11.3.0 p. L. Sterling.

No. 2. Do you think the Apprehensions of Mr. Willson for his own safety and that of his Family were well founded, and at the time to which he alludes such a Spirit existed in the Party as made it absolutely necessary for him to leave it ? Explain or relate the circumstances which occurred at Algoa Bay and which induced Mr. Willson to wish not to come up to the Location.

Answer. The Party generally deny that there was the least foundation for his fears. No one ever heard of threats used. Mr. Boardman after Willson had left the Location requested him to return, when Willson did say that he considered his life in danger, when Mr. Boardman assured him that there was no reason for such alarm and that he would insure his life for a few Stivers. This subject was fully discussed, and it is strongly supposed that the real cause of Mr. Willson's not meeting the Party was that he could not come to a Settlement with the Party for the £5 extra Money which they had placed in his hands for Stores.

No. 3. Did Mr. Willson come up with the Party from Algoa Bay to the Location ?

Answer. He had used every endeavour to remain behind



at Algoa Bay, but the Commandant compelled him to move. He then did proceed with the Party to the Location. He came to the Flat above the Location and there struck off to Bathurst. The following afternoon he came to the Location and left it early the next morning.

No. 4. Did Mr. Willson in any way contribute by personal exertion or otherwise to promote the Establishment of his Party and to assist to locate them on the Land on which they were placed by the Local Authorities ?

Answer. Not at all personally. He left a list of names with Mr. Boardman and which is all that he did.

No. 5. Did Mr. Willson ever return to the Location ?

Answer. Never.

No. 6. Did Mr. Willson fix on any spot on the Location for his own residence, or did he enclose or give directions to have enclosed any land for his own use and occupation ?

Answer. Yes, where his Servants' Tents were pitched.

No. 7. Did Mr. Willson in any way occupy by or thro' others, but at his own Expence ?

Answer. Nothing whatever done by the Servants.

No. 8. What Servants did Mr. Willson bring with him, and did they remain on the Location as his Servants ?

Answer. Three from England, one of whom remained at the Bay. Two came to the Location and remained about Six Months, never cultivated at all, neither built nor fenced, they could get no Instructions from Mr. Willson tho' Lendsay, one of them, had written to him.

No. 9. Did Mr. Willson previous to his leaving the Party or at any period subsequent thereto appoint you Mr. Boardman his Agent, and how did he appoint you ? Did you accept an Agency of this nature from him ?

Answer. No never.

No. 10. What were your reasons Mr. Boardman for asking Mr. Willson's advice and *Instructions* as to the sub-division of the land, in your letter to him supposed to have been written on the 1st January 1823, but without date, and on what grounds do you say that 10,000 Acres have been granted to the Party ? Was that founded on official information given to you by any and by what Public Authority ?

Answer. (Vide detailed answer hereto in Mr. Boardman's

letter to Mr. Hayward.) Mr. Knobel Government Surveyor had set it off in his presence.

No. 11. What were his instructions to you Mr. Boardman relative to the Interests of the Party and his own private Interests, as far as they were connected with the Party, or as to the occupation of Land on his own account, and for his benefit, or at his risk ?

Answer. No particular instructions, but generally to take care of his rights whatever they might prove to be.

No. 12. Who appointed Mr. Boardman to represent the Party in their transactions with the Government, or by whom were you Mr. Boardman appointed ?

Answer. At a meeting of the Party it was agreed that Mr. Boardman should be acknowledged as Head, but this was unknown at the time to Mr. Boardman himself. Also see Answers to 4 and 9.

No. 13. To what period did Mr. Willson continue to act as Head of the Party as to drawing Stores and Rations, previous to his abandonment and your appointment to the Headship ?

Answer. Six Weeks victualling when at Algoa Bay, once at Bathurst, and Implements at Algoa Bay.

No. 14. To what amount of Rations and Stores have you Mr. Boardman drawn for the Party since you have conducted the affairs of the Party ?

Answer. Ever since for Provisions, but no Stores for the Party.

No. 15. What was the amount of Deposits paid by Mr. Willson to the Home Government ?

Answer. He paid for himself personally, his family, and for Three Servants.

No. 16. Did the Party pay their respective Deposits to Mr. Willson ?

Answer. Yes.

No. 17. Did Mr. Willson pay the deposits of any Individuals of the Party from his own means ?

Answer. No.

No. 18. He asserts he advanced £50 or £60 for Mr. Boardman, was this ever repaid to him ?

Answer. Yes, it was a temporary advance only, when I

(Mr. Boardman) was in Lancashire, and which I have repaid to Mr. Willson as this receipt for £55 fully proves.

Note. The receipt was produced by Mr. Boardman and a Copy is sent herewith.

No. 19. Do you conceive that a Balance of Deposits can be due to Mr. Willson from the Government ?

Answer. It is not possible.

No. 20. Did Mr. Willson previous to his leaving the Colony state that it was his intention to return, or did he say or lead you to believe that it was his decided intention to return ?

Answer. Yes, but when at Algoa Bay he was repeatedly called for by the Party, but never would come up, Captains Trappes and Evatt and Col. Cuyler had ordered him up, but he constantly pleaded sickness of himself or family.

No. 21. Do you know of any agreement between Mr. Willson and his Party or any Individuals of the Party by which they consent to receive from *him* 100 Acres only, and that all surplus Land was to be his.

Answer. No such agreements were ever entered into, a few Papers were produced by which it is found that some had Willson's receipt for the Deposit Money and a few had agreements which speak of the grant of the advantages of 100 Acres, some of 100 Acres, but all are asserted to have been of the same intent and meaning that the Party paying his Deposit was entitled to 100 Acres of Land, and which Willson agreed to give. There was no contemplation of Surplus or lapsed Land. Mr. Willson never was considered as having any other rights than the rest of the Party.

No. 22. Do you consider Mr. Willson to have any claims on his Party, or to be entitled from occupation or otherwise to any portion of the Land granted by Government to the Party ?

Answer. Not at all.

No. 23. Am I then to understand that you Mr. Boardman and the rest of the Party now present consider Mr. Willson to have abandoned his Party and location, and from what period ?

Answer. Wholly, and from the first moment of their being located.

No. 24. Is it understood by any one of the Party that the Revd. Mr. Boardman was the constituted Agent of Mr. Willson, did he so declare himself, and was he so acknowledged, not

only as his representative as Head or Conductor of the general Affairs of the Party, but also as having the charge of Mr. Willson's individual interests ?

Answer. No. Mr. Boardman having undertaken the affairs of the Party had the arrangements of the Homesteads and the drawing of Rations for the Party.

(Signed) WM. HAYWARD, Commissioner.

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[Original.]

*Letter from LORD CHARLES SOMERSET to EARL BATHURST.*

CAPE OF GOOD HOPE, 12th November 1824.

MY LORD,—I have the honor to acknowledge the receipt of Your Lordship's Despatch under date of the 15th June last, No. 106, covering copy of a letter from the Deputy Secretary at War to Mr. Wilmot Horton, requesting information as to the nature of the Albany Levy, and the allowances received by the Officers serving therein, and in reply have the honor to state to Your Lordship, that the Albany Levy was established for the purpose of forming a local defence against the depredations of the Caffres. The Lieutenant and Adjutant receives Forage in kind for two horses, and an allowance of Three hundred and Sixty Rixdollars (or about Twenty-five Pounds thirteen Shillings and Six pence Sterling) per annum ; the other Officers receive no pay but an allowance of Two hundred Rixdollars (or about Fourteen Pounds and Five Shillings Sterling) per annum in lieu of Forage for a horse. I have &c.

(Signed) CHARLES HENRY SOMERSET.

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[Copy.]

*Letter from FIELD CORNET VAN DER NEST to the DEPUTY LANDDROST OF CRADOCK.*

BAVIAANS RIVER, 12th November 1824.

SIR,—I have to report to you that the Patrole of the 6th Instant, of which I gave you information, arrived at the Kacha's Post early on the morning of the 8th with four

hundred head of Cattle, out of which Captain Massey restored to the Inhabitants of the Baviaans River, the cattle that were stolen from them by the Caffres in the year 1824, and to two or three Persons whose names appeared in the former List of Individuals, but who received no share in the last distribution that took place in 1823.

Philip Rudolph Botha (Zuurveld) 5 Head of Cattle, Provisional Field Cornet P. R. Botha, 2 Head of Cattle, Johannes Prinslo, 3 oxen. I remain &c.

(Signed) C. J. VAN DER NEST, Field Cornet.

[Original.]

*Letter from LORD CHARLES SOMERSET to EARL BATHURST.*

CAPE OF GOOD HOPE, November 13th 1824.

MY LORD,—I do myself the honor to transmit to Your Lordship a Letter and explanatory Enclosures from the Comptroller of Customs at this Port, in consequence of having discovered that a representation has been made to Your Lordship by Some Merchants at this place relative to goods exposed for Sale here from the French Ship *La Seine*.

I have no hesitation in stating to Your Lordship my opinion, that the Officers of His Majesty's Customs were extremely vigilant and active on this occasion, and have fully discharged their duty in Conformity to the Provisions contained in His Majesty's Order in Council of the 12th July 1820. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Enclosure 1 in the above.]

CUSTOM HOUSE, SIMONS TOWN, 12th November 1824.

MY LORD,—The French merchant Ship *La Seine* bound to this Port and Calcutta, arrived in the Month of July last. The Master applied at this Office for Permits to land a part of those Articles in her Cargo, allowed by the Order in Council of July 12th 1820, which permits were granted in obedience to that order.

Objections were made by the Merchants of Cape Town to

the landing any portion of a French cargo from a Ship of that Nation : after an explanatory Letter from this Office, an Extract of which (marked A) I have the honor to enclose, the objection appeared to vanish, but a Catalogue of Articles for Sale having been inserted in the Cape News Paper, among which Muslins were (erroneously) included, a second representation was brought before the Customs. In consequence thereof I attended at the Place of Sale accompanied by the Charge d'Affaires of France (vide annexure B). I examined the Cargo landed for Sale, and discovered no manufacture prohibited by the Order in Council videlicet, Cottons, Woollens, Iron and Steel manufactures.

There might possibly be undiscovered by us some Threads of Cotton or worsted as a Selvage for the Silk Velvets or Handkerchiefs, or as a basis of the Caps, Bonnets and other Millinery, and also wire to the Corks of the Champagne Bottles ; but I hope your Lordship will agree with the Officers of His Majesty's Customs in considering it would be a violent straining of the Order in council to class such things as bona fide manufacture of Cotton, Woollen, Iron and Steel in the contemplation of that order, and if any of these prohibited manufactures have been introduced, it must have been by contraband, in preventing which, the most unwearied activity of Office cannot always succeed.

As I perceive by a Declaration of Exports, rendered as usual to the Custom House in Cape Town (see annexure C) that a Memorial from the Merchants to the Earl of Bathurst, together with specimens of the Goods said to have been landed from the French Ship, has been in a most unusual manner sent direct to that Nobleman, and not thro' your intervention, I have the honor to express to your Excellency the anxious request of the Collector and myself, that you may be pleased to explain the circumstances of the Case, in order to prevent the suspicion of a neglect of Office duty, which may otherwise remain upon the mind of Earl Bathurst, until the reply to any reference from Home on the subject might have been made by Your Excellency. I have &c.

(Signed) W. WILBERFORCE BIRD, Comp. of Customs.

Lord Charles Henry Somerset.

[Enclosure 2 in the above.]

*Extract of a Letter to R. W. EATON, ESQUIRE, Chairman to the Commercial Committee, dated 26th August 1824.*

*La Seine* is a French Vessel bound to the Cape and Calcutta from a Port in France (a State in amity with Great Britain) which State admits British Vessels to take Cargo for the Cape in her Ports, and as far as we know and believe on equal duties. It was a transaction between European France and Great Britain, in its mutual commerce with the Cape warranted by the Order in Council, and encouraged by the now existing Mercantile Policy of Great Britain. I have &c.

(Signed) W. WILBERFORCE BIRD,  
Comptroller of Customs.

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[Copy.]

*Letter from the Acting Colonial Secretary to the Fiscal.*

COLONIAL OFFICE, 13 November 1824.

SIR,—Doubts having arisen upon the construction of the first and second articles of the Proclamation of the 26th September 1823, touching the Medical qualifications of Persons applying for Licences to practise the different Branches of medicine in this Colony, I am directed by His Excellency the Governor to call your particular attention to those two enactments wherein the requisite qualifications are defined.

The first article of that Proclamation states that no person shall be allowed to practise as Physician, Surgeon, Accoucheur, Chemist and Druggist in this Settlement without a Licence previously obtained from the Governor, and the 2nd Art. that such Licence shall in no case be granted unless upon the production of a regular Diploma from an University or College in Europe, or in case of Surgeons, Apothecaries, &c., of such Certificate as is "*usually*" required for these arts, the same being subject to the examination of the Colonial Medical Inspector for the time being, then follow the Penalties for non compliance with these regulations.

An Individual desirous of being admitted to practise at Cape Town as an Apothecary, Chemist and Druggist, presented a Memorial to His Excellency, which was referred to the Medical Inspector, together with certain Documents containing a Certificate of having served an apprenticeship for five years to a licenced Apothecary in Cape Town, and of having conducted the business for five years afterwards as acting and managing Partner.

The Medical Inspector having considered that the Individual in question had not received any professional education, and consequently no regular documents, declined to recommend him to be allowed to practise as an Apothecary, Chemist and Druggist in the Colony.

Upon a reconsideration of the Law, the Medical Inspector stated that no instance had occurred since the year 1807 when the Regulations were revised by the Earl of Caledon of any Person being recommended to be allowed to practise in any of the Branches of the Medical Profession in this Colony, who had not been regularly educated in some part of Europe, and that the Cape of Good Hope affords no means for the acquirement of the knowledge necessary to form an Apothecary, Chemist and Druggist. The Medical Inspector therefore adhered to his objection, but it has been contended on the part of the Individual applying to be admitted, that by presenting the Certificate (of which the enclosed is a Copy) he has fulfilled all that is required by the 2nd Article of the Proclamation of those who apply for Licences to practise as Apothecaries, and that the Law having thus defined their qualifications, no question of their Education or acquirements ought to be raised by any other authority. The question therefore would seem to depend, as the law now stands, upon the Interpretation that is to be given to the words "usually required" in the 2nd Art. of the Proclamation of the 26th September 1823, and whether it was intended by those words to admit only those persons to practise as Apothecaries at the Cape of Good Hope who could produce the Certificates that are usually required in Europe, and afford proof of having studied the various Branches of knowledge that are considered requisite there for those who profess that Art.

Your opinion is therefore requested on the following points



1st. Whether the Certificate presented by Mr. Carel Liesching in the present case is such as has usually been required in this Colony upon the admission of Persons to practise as Apothecaries, Chemists and Druggists ?

2nd. Whether by the Certificates mentioned in the 2nd Art. of the Proclamation of September 1823 are meant such as are "usually required" in this Colony, or such as are usually required in the different Countries of Europe ?

3rd. Whether there exists any other Law antecedent to the Proclamation of the 26th September 1823, and not at variance with that Enactment or with the Provisions of the Proclamation of 1807, that regulates more precisely the qualifications of Persons allowed to practise as Apothecaries &c. in the Colony ?

I beg to be favored with an early reply to this Letter, and have &c.

(Signed) P. G. BRINK.

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[Copy.]

*Evidence given by MR. ROBERT WOODCOCK to the  
COMMISSIONERS OF ENQUIRY.*

CAPE TOWN, 13th November 1824.

You came to the Colony with Mr. Parker's party of Settlers, and were located at Clanwilliam on a part of the Land assigned to him ?

Reply. I came out with Mr. Parker's party and paid Deposits for nine Settlers and their Families, exclusive of my own. I was offered 300 Morgen or 600 acres of Land in the Kleine Valley at Clanwilliam, which I declined to accept on account of its inadequacy to support Six families, Mr. Parker having deserted us the Party was divided under several Heads.

Was the Land assigned to Mr. Parker and distributed to the Party by him ?

Reply. It was first assigned to Mr. Parker, who manifested an intention at one time of retaining it, and he then pointed out the Land that he proposed that we should occupy in the Kleine Valley, but no permanent allotment was made to us by



conceived without just cause, and my refusal to join with him against that Gentleman was a further ground of dispute between us. After our arrival at Clanwilliam, and the distribution of the Land, Mr. Parker sent his people to plough upon the allotment that he had assigned to me; this led to a dispute, and the reference of the question to Government; the Local Magistrate Mr. Bergh was instructed to investigate the complaint, and he decided in my favor. Soon after this decision Mr. Parker relinquished his land and withdrew from the party.

Was it at the same time that the Surveyor Tulleken measured the Land and determined the boundaries?

Reply. It was in consequence of this dispute that I soon afterwards engaged the Surveyor to measure my allotment and determine the Boundaries of it, the expence of which I defrayed.

You have stated that you declined to accept the Land on account of its inadequacy for the Party that remained with you; how then did you cause it to be surveyed at your own expense?

Reply. I occupied the Land at that time in the expectation that the removal of the Majority of the Settlers to Albany (and which soon after took place) would induce the Government to extend my location considerably, as there was an extensive Tract of Government grazing Land immediately opposite to mine on the western Bank of the Oliphant's River; but on finding that I was to be restricted to the Allotment of 600 Acres I resigned it after having been in the occupation of it about 12 months.

To whom was the Location assigned after you had relinquished it?

Reply. I transmitted an application on the part of my Settlers that it should be assigned to them, which was acceded to by the Government; and (with one exception) they have since sold the several portions of it to Mr. Ingram and Mr. Shaw.

How was the Government grazing land you have mentioned disposed of?

Reply. An arrangement was made by the Landdrost of Worcester assisted by the Heemraden of Clanwilliam, by which it was determined in what proportion the Functionaries and

Settlers there should be allowed to put their Stock upon it and to enjoy the right of Commonage. The Settlers in the Klein Valley by this arrangement were allowed to graze sixteen head of Cattle upon the Land. Captain Synnot's party of 10 families were allowed to graze 30 Head, and Captain Synnot as Deputy Landdrost had the right to graze 30 more upon the Land.

(Signed) R. WOODCOCK.

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[Copy.]

*Letter from* **LIEUTENANT COLONEL BIRD to the COMMISSIONERS OF ENQUIRY.**

Lieut. Col. Bird presents his Compliments to the Commissioners of Inquiry, and in reply to the honour of their Letter of the 4th Instant he begs to say that he has examined such of the Acting Governor's private correspondence as he had retained without having succeeded in discovering anything which bore precisely upon the subject of their communication.

From memory Lieut. Col. Bird cannot be expected to give any accurate information of circumstances which took place some years since. With respect to the Grants confirmed or those which were not so in the District of Uitenhage, Lieut. Col. Bird believes that there must be explanations in the usual Offices, certainly in that of the Landdrost of Uitenhage, as it seems Sir R. Donkin decided these questions on the spot without reference to Cape Town. It was Colonel Cuyler's practice to prepare his questions on duplicate papers for the replies and signature of the Governors when they have occasionally visited Uitenhage, such probably was the course he pursued in the case in question.

In regard to the Acting Governor's intention of granting additional Land to the Settlers, Lieut. Col. Bird recollects that Major Jones was directed to have all the land in the rear of the Locations measured for this purpose as well as the vacant land in the Groenberg, it was intended to appropriate the latter in separate Commonages to be attached to the larger locations and to a certain number of the smaller ones, according

to circumstances, which measure would have afforded both change of pasture and additional Land in the manner in which Vacant Land had been appropriated, at Lieut. Col. Bird's suggestion, in Drakenstein and Waggon Makers Valley. Lieut. Col. Bird has only found one allusion to this, in a private Letter from Major Jones dated in September 1821, he presumes that the precipitate removal of that Officer, before the Surveys could have been completed, was the reason why this plan was not carried into effect.

LIESBEEK COTTAGE, 14th November 1824.

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[Copy.]

*Letter from FIELD CORNET VAN DER NEST to the DEPUTY  
LANDDROST OF CRADOCK.*

BAVIAANS RIVER, 14th November 1824.

SIR,—I have the honor to inform you that yesterday evening at Sun-Set, three Caffres came to my place here with two Oxen, which they had stolen on the 2nd January 1822, one from my Brother Hendrik, and the other from my Brother in Law Coenraad B. Kloppe. A Female Slave named Rachel belonging to Abraham Esbracht accompanied the Caffres. She stated that she had been upwards of a year in Caffreland. The Caffres were exceedingly impudent; and as they approached me with Arms in their hands, I desired four men to arm, and take them Prisoners, for I considered them to be spies. When the Caffres perceived the armed Men they took to flight. I pursued them with the remainder of my men, and called upon them upwards of ten times to stand, stating that I would do them no harm, it being only my wish to speak to them; but as they would not surrender, I ordered the four armed men to fire upon them, in consequence of which one was killed. The female Slave who accompanied the Caffres informed me that the Caffre who was shot is the one who intended to have stolen my oxen. This female further says that when she had been five days in Caffreland, the Caffre now killed, with two others, one of whom was here, and the other who is at present in Caffreland, brought the oxen to Captain Maccommo's

(MacGoma's) Kraal. The oxen belonging to me, and to my Brother, are still in Maccommo's Kraal; and there are a great many Horses there likewise, as the female in question told me.

I am Sir &c.

(Signed) C. VAN DER NEST, Field Cornet.

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[Original.]

*Letter from* LIEUTENANT T. C. WHITE *to* R. WILMOT  
HORTON, ESQRE.

ARNOLD, NEAR NOTTINGHAM, 15th November 1824.

SIR,—The Report of the Commissioners of Enquiry at the Cape of Good Hope not having been received at the date of the Letter which you did me the honor to address to me on the 15th July last, I beg leave again to enquire what has been the result of the investigation which I solicited. I have &c.

(Signed) T. C. WHITE.

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[Copy.]

*Letter from* LORD CHARLES SOMERSET *to the* COMMISSIONERS  
OF INQUIRY.

GOVERNMENT HOUSE, CAPE TOWN, November 16th 1824.

GENTLEMEN,—In reference to your Letter dated the 28th ultimo I have the honor to enclose a Return of the Lands that have been granted under the Proclamations of the 14th May 1812 and the 28th January 1814 within the limits of the Albany District, and beg to add that no Grants have yet been made under the Government Advertisement of the 18th April 1817; the admeasurement of some has however lately been completed, a Return of which I shall have the honor to transmit to you as soon as the Grants shall have been made.

I have &c.

(Signed) CHARLES HENRY SOMERSET.

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[Enclosure in the above.]

*Return of the Lands that have been granted under the Proclamations of the 14th May 1812 and 28th January 1814 within the limits of the present District of Albany.*

Date of the Grant	Name of the Grantees	Extent of the Grant		Annual Rent
		Morgen	Roods	
15 May 1818	Cornelis Johannes Engelbrecht senior.	2873	120	Bds. Sks. 45 0
"	John Devenish . . . . .	2945	217	30 5
"	Cornelis Johannes Engelbrecht junior.	1516	540	15 6
"	Johannes Potgieter . . . . .	2351	525	36 3
"	Robert Hart . . . . .	139	343	30 6
"	Johan Godlieb Welgemoed . . . . .	2014	—	24 7
15 August 1820	Captain Louis Ellert . . . . .	3099	102	35 0
11 October 1820	Lieut. Col. J. G. Cuyler . . . . .	2000	—	63 0
"	P. Maree . . . . .	1999	435	63 0
"	S. Muller . . . . .	1915	357	60 0
10 July 1821	Duncan Campbell . . . . .	2996	160	50 0
15 Jan. 1822	J. D. Smuts . . . . .	2826	—	31 0
1 May 1823	Harry Rivers . . . . .	3106	—	33 0
1 July 1823	Louis Jacobus Nel . . . . .	3773	232	50 0
"	Pieter Retief . . . . .	2658	8½	31 0
"	do. . . . .	2986	277	39 0
"	Cornelis van Rooyen . . . . .	1503	405	20 0
"	Willem Christiaan Bouwer . . . . .	2998	365	39 0
"	Ockert Goosen . . . . .	2882	—	38 0
"	Widow G. Barkhuizen . . . . .	1097	380	36 0
"	J. C. Engelbrecht . . . . .	1442	355	19 0
"	Izaak Zirke Buys . . . . .	2971	520	40 0
"	Paul Lodewyk Zietsman . . . . .	1584	351	39 0
"	Cornelis van Schalkwyk . . . . .	2940	520	38 0

All 10 years rent free. The clause as to the employment of Free Labourers only has been invariably inserted in all Grants made in the Albany District subsequent to the receipt of the instructions from the Secretary of State to that effect. No Grants appear to have been made under the invitation of the 18th April 1817 up to this date.

Colonial Office, 16th November 1824.

By Command of His Excellency the Governor.

(Signed) P. G. BRINK, Acting Col. Secretary.

[Original.]

*Letter from LORD CHARLES SOMERSET to EARL BATHURST.*

CAPE OF GOOD HOPE, 16th November 1824.

MY LORD,—In consequence of the loss of the Government Schooner *Buckbay Packet* which was driven on shore in a gale and totally wrecked on this Coast in the month of June last, as I have already had the honor of reporting to your Lordship, I have been reduced to the necessity of causing another Schooner to be built to replace the one lost. I have therefore the honor to apprise your Lordship of the circumstance, and to request your Lordship will communicate to the Auditors of Colonial Accounts your sanction to this unavoidable Item of Expenditure, which I calculate will not exceed nine thousand Rixdollars. I have &c.

(Signed) CHARLES HENRY SOMERSET.

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[Original.]

*Letter from HENRY ELLIS, ESQRE., to R. WILMOT HORTON, ESQRE.*

CUSTOM HOUSE, November 18th, 1824.

DEAR HORTON,—I have lately seen a Mr. Francis a Settler lately returned from the Cape, and his account of the reduced population of the Zuureveld in consequence of the mechanics having found employment in other parts of the Colony, has suggested to me the following plan :

That as few of those originally located have established claims for titles to their lands, a new distribution more adapted to the colonial agriculture should be made, and that 3000 acres should at once be granted to such individuals as shall prove that they have ten individual *English Colonists* in their employment. By this means a population will be kept on that very important frontier, and the original plan of Government will in a great degree be carried into effect, notwithstanding all the visitations of bad seasons &c., I feel assured that a great good has been done to the Colony by the measure of 1820.

Truly yours,

(Signed) H. ELLIS.



[Original.]

*Letter from MR. PETER TAIT to ROBERT WILMOT  
HORTON, ESQRE.*

LONDON, November 18th 1824.

SIR,—I have taken the liberty of calling at the Colonial Office on my return from the Cape of Good Hope.

I had the Honor of carrying out letters from Earl Bathurst to Lord C. H. Somerset, Governor of that Colony, in February 1818 ; (one year previous to the Albany Settlers). By these letters I received every mark of attention from His Excellency and Col. Bird, Colonial Secretary.

I located in the District of George, twenty six settlers from Scotland, and had that dreadful calamity the rust in wheat not infested that Colony for three successive years ! I should have succeeded equal to my expectations ; however that famine has not made me alter my opinion respecting the capabilities of the Colony in point of Agriculture &c. I was a professional farmer in Berwickshire Scotland from my first career in life, and have been in Africa as farmer for five years.

Sir, my object in writing to the Colonial Office is to express my gratitude to Earl Bathurst, and should any information be wanted respecting the Colony of the Cape of Good Hope I shall be most ready to give His Lordship the same as far as I am enabled so to do. I have &c.

(Signed) PETER TAIT.

[Copy.]

*Letter from LORD CHARLES SOMERSET to the COMMISSIONERS OF  
ENQUIRY.*

GOVERNMENT HOUSE, CAPE TOWN, November 19th, 1824.

GENTLEMEN,—Referring to the Note you did me the honor to address to me on the 9th October 1823, in reply to mine of the 29th September of that year, relative to an augmentation in the Salary of the Assistant Secretary, and transmitting to you Copies of my Despatch to Earl Bathurst on that head, and

His Lordship's reply thereto under date 24th June 1823, No. 64, I trust you will forgive my again intruding the subject upon you, and soliciting your attention to it at your earliest leisure.

Lord Bathurst in his despatch proposes to defer the consideration of the subject until a general investigation should take place with regard to the several offices of this Establishment, but at that period His Lordship could not have anticipated the excessive labour which has been thrown on Mr. Brink from unforeseen circumstances. Lieut. Col. Bird not having been in the Office nor taken any part in the Public business since the 23rd January last, the whole weight of the Secretary's Office has fallen upon Mr. Brink during the intermediate period, which, as you well know, has, until very lately, been one of excessive Turbulence and difficulty, and has called for very extraordinary exertion on the part of all employed in the executive Department of the Government.

Under these circumstances, and in the daily expectation of the arrival of Sir Richard Plasket, I trust it may be in your power to consider Mr. Brink's particular case, so as to prevent his returning to his former very inadequate Salary, more especially as it will naturally occur that his labours cannot decrease for a considerable time after the arrival of a Secretary new to this Settlement and the business of its administration.

I have &c.

(Signed) CHARLES HENRY SOMERSET.

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[Copy.]

*Letter from the Officials of the Lombard Bank to the  
Commissioners of Enquiry.*

LOMBARD BANK, 19th November 1824.

GENTLEMEN,—In reply to your letter of the 18th Instant, we have the honor to acquaint you that some time prior to the 10th March 1823 an application was made by Mr. Scully, Mr. Bohmer, and Mr. Chiappini, to Mr. Stoll in his capacity of acting President of the Bank for the Sum of Rds. 10,000 on the Security of a Roman Catholic Chapel then erecting in Cape

Town, together with sufficient personal Sureties ; that accordingly on the 10th of March 1823 the Sum of Rds. 3000 was advanced for that purpose, and subsequently on the 30th May the additional Sum of Rds. 3000 was advanced for the same purpose.

We have further the honor to acquaint you that we are not aware of any reference having been made to the Acting Governor Sir Rufane Donkin upon the subject, as we are not in the habit, whilst exercising the discretionary power with which we are invested, of referring any applications for money to the Governor, except those wherein the propriety of the Grant may appear to us of a doubtful nature.

In this particular instance, the Building being considered an Ornament to this Town, and ample Collateral Security being offered for the Sum required, we had no hesitation in acceding to the application so far as the extent of our Funds and our obligations to the other interests of the Colony admitted of.

We have &c.

(Signed) JOHN MARSHALL,  
G. H. MAASDORP.

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[Original.]

*Letter from the* REVEREND EDWARD JUDGE *to* R. WILMOT  
HORTON, ESQRE.

29 ALBEMARLE STREET, 19th November 1824.

SIR,—I hope I do not presume too far in addressing you on the subject of the Classical School, about to be established by Government at the Cape of Good Hope. Having been appointed to the management of it, I have naturally felt anxious for its success, and been led to consider what things will be necessary to obtain it. It will be at once obvious, that the first requisite will be Books ; and those too, of a peculiar class ; which may be easily met with where schools abound, but would be unsaleable, and consequently not to be procured, where no schools were established. As no place of instruction exists either at the Cape or within several thousand miles of it,

necessity will require that such Books as are requisite for the success of the School should be sent thither either by me or some other party ; especially as every account I receive from the Cape leads me to suppose that the establishment will find *immediate* success. To commence a common School, even in this country, where there is every facility of procuring books, I am informed that a stock costing not less than £50 is required ; and one amounting to £200 would therefore appear to be not too large to begin an establishment like that at the Cape, where there is no such facility, and where the books must be imported from England. There are other expenses which I must incur upon my departure, but which are neither so great, nor so essential to the welfare of the School, that they would alone have induced me to trouble the Government respecting them.

For these reasons, Sir, I hope I shall not be considered as taking too great a liberty in petitioning either that £200 may be granted to me for the purpose of procuring Books, Stationery, &c. for the use of the School, or that they may be sent upon the credit of the Government ; and for my other expences, that one Quarter's salary, £150, may be advanced to me before I leave England. I have &c.

(Signed) EDWARD JUDGE.

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[Copy.]

*Letter from MR. GEORGE GREIG to R. WILMOT HORTON, ESQRE.*

32, CITY ROAD, 19th November 1824.

SIR,—I beg to enclose a letter for Lord Bathurst, which I have to request may be delivered to his Lordship with the earliest possible dispatch.

From the contents of my letter you will perceive that (in the event of his Lordship sanctioning my restitution to the colony, and affording me redress), an *early* answer is of the first importance to me. I therefore, Sir, take the liberty of impressing this circumstance upon you.

Feeling assured, Sir, that my anxiety will not be unduly appreciated, I beg to subscribe, &c.

(Signed) GEORGE GREIG.

[Copy.]

*Letter from MR. GEORGE GREIG to EARL BATHURST : (not dated).*

To the Right Honourable the Earl Bathurst, His Majesty's  
Secretary of State for Colonial Affairs, &c. &c. &c.

MY LORD,—On the 12th of May 1824 I had the honor to forward to your Lordship by the ship *Hope* a copy of “ facts ” connected with the stoppage of the *South African Commercial Advertiser*, a newspaper which I had established at the Cape of Good Hope ; a copy of a warrant for the suppression of that paper, and for my banishment from the colony, accompanied them. Should it be necessary again to advert to those documents, it will be with a view to the further illustration of my case.

In March 1823 I arrived at the Cape of Good Hope. Being by profession a printer, having been on the establishment of His Majesty's printing office in London, I made numerous inquiries into the practicability of establishing a printing press in the colony ; the result of which was a firm conviction that it would not only become a profitable undertaking, but would be productive of the most important results to the colony at large. I was urged to it by all the well informed, who considered it a certain means of diffusing knowledge and a taste for reading. The memorial I presented to the Governor, Lord Charles Henry Somerset, its rejection, and my subsequent proceedings to the time of the suppression of the paper, are detailed in the “ facts ” to which I before referred your Lordship. It will, however, be proper to mention, that in the interval between receiving the answer to my memorial and issuing the prospectus of the *South African Commercial Advertiser*, I had made every possible inquiry, and had taken the best legal advice, but could hear of no law in the colony on the subject of the press. I therefore considered it unnecessary to make any further communication to Lord C. H. Somerset, nor did any further communication, directly or indirectly, pass between the colonial government and myself, relative to my projected publication, yet, the very cause of the paper's suppression is stated to be my having broken certain “ special conditions ” under which I was permitted to *print*. When the

warrant itself shall come to be considered, this part of the subject will be further pursued. On the 20th December 1823 I issued the prospectus of the *South African Commercial Advertiser*. As a mark of respect to the principal personages in the colony, copies were forwarded to his Excellency the Governor, Col. Bird, late colonial secretary, the commissioners of inquiry, and to Sir John Truter, chief justice. A letter accompanied the one sent to the Governor, to which, nor to the prospectus was any answer expected or returned. Soon after the publication of the paper commenced, I made a representation to the Governor, on the subject of the rate of postage to the country districts, not doubting that as the governor had professed himself favourable to the diffusion of knowledge throughout the colony, he would have allowed their transmission, if not wholly free, at least at a moderate rate. The imposition, however, of a duty amounting to one third of the cost of the paper at once discovered a feeling hostile to the existence of a press in the colony. The paper, notwithstanding, continued to increase in popularity and interest, which, considering the remoteness of many parts of the colony, and the difficulties consequent on the first establishment of a publication, astonished every one. Its circulation increased doubly in twelve weeks. It was then translated, at the repeated requests of the Dutch colonists, into the Dutch language. Subscriptions and correspondence were already beginning to be received from St. Helena, and the most complete arrangements were made to procure regular information, especially commercial, from all parts of India. Of the first number three hundred and fifty copies were printed, and for some time previous to its suppression nearly one thousand copies were issued. Very heavy expenses had necessarily been incurred, but the returns, including those derived from ordinary printing, were beginning to afford ample remuneration for the labour and capital employed. The great object of the paper, my Lord, was not to open a vehicle for the indulgence of private slander or popular abuse, but the general improvement of all classes in the colony, by diffusing knowledge in every branch of morality, religion, and education, by inculcating principles of loyalty and attachment to His Majesty and His government, by uniformly seizing all means of allaying the prejudices and

promoting the amalgamation into one body of all classes throughout the colony ; this being its object, it became necessary to refuse the abundant communications with which I was assailed at its commencement, reflecting, in every shape, upon the Governor, and his mal-administration ; subjects with which, although they might clearly indicate his unpopularity, I had resolved not to interfere. That the paper was popular is proved by the fact of its having trebled in circulation in the short space of eighteen weeks. That it was effecting considerable good may be fairly asserted by the encomiums received from all parts ; and the regret, not to say indignation, expressed at its suppression.

Your Lordship will observe, by a reference to the " facts," that the fiscal's first intimation to me was on a Monday evening, May 3rd. This officer's communication was so extraordinary and unexpected, and the day of publication so near, that I felt it necessary to require time in order fully to consider the matter. The fiscal acquiesced in the reasonableness of my demand, and he named the then following *Friday*, pledging his word as a magistrate that I should not be molested before that day. I therefore safely, as I thought, resumed my arrangements for the next paper, intending to enter diligently upon the subject immediately after the publication. On the following day, however, in open violation of his promise, the fiscal assumed the censorship of my paper, by sending an officer to my house with orders to prevent me from proceeding until I should receive his further directions ! To these facts I beg particularly to draw your Lordship's attention. This was the commencement of those anomalous proceedings, which terminated in my ruin and banishment, with an odious epithet attached to my name, without *trial* or inquiry of any kind. The fiscal refused to give me a written copy of his instructions (although no clerk or witness was present) ; and he afterwards denied in the *Cape Gazette* part of what he had previously said he was instructed to communicate to me.

The immediate reason which led to the paper's suppression may be traced without hazarding much conjecture. The Governor might entertain apprehensions that the *trial* of Mr. Edwards would be published. The gross exposures which were made in the progress of that trial seriously involved his

character and that of others, and these circumstances might render the Governor particularly anxious that the proceedings should be suppressed ; but if it be intended to be held or asserted that this furnished a sufficient ground for annihilating my trade, ruining my prospects, and stamping my character with the charge of being “ seditious,” I rest satisfied that that position will not meet with your Lordship’s sanction. As the case of Mr. Edwards is, I understand, to be brought before the House of Commons, all that I will state to your Lordship respecting his trial is, that although Mr. Edwards upon oath denied all knowledge of the letters charged as libellous, the court of justice, without calling or permitting him to call a single witness, found him guilty, and sentenced him to seven years transportation ! a course of proceeding, to prevent the promulgation of which, the anxiety on the part of the Governor is not to be wondered at. Two hours after the adjournment of the court, at eight o’clock on the evening previous to the publication, came the letter of the fiscal requiring proof sheets of my next paper ; and the subsequent acts of which I complain continued till the Sunday following, the day on which my presses were sealed up, myself charged with sedition, and ordered to be banished from the colony.

The people being thus suddenly deprived of a publication, in the prosperity of which one common feeling prevailed, became importunate for a detail of the “ facts.” I therefore felt it my duty to prepare a statement for publication : but such was the precipitation with which the warrant was got up and executed, that my presses were sealed up before more than a very limited number of copies were ready for delivery. I then sent two advertisements to the *Cape Gazette*, but both were refused insertion. Not satisfied with preventing me from acquainting my friends with my situation, the fiscal published in the same paper in which my advertisements were refused insertion, a garbled statement of part of the case. Finding myself thus charged with falsehood, and a wrong impression gaining ground on the public mind, my own paper suppressed, and being denied access to the only remaining medium of communication, I issued handbills announcing the intended publication of all the “ facts.” The fiscal gave orders for tearing down my bills, and my people were arrested while



posting them up. He also sent an order for me to desist from issuing any more bills. This order, without stopping to inquire into its legality, I immediately complied with, and gave directions to my people to discontinue their issue. On the following day came the warrant of which I have spoken, branding me with the charge of being "seditious," locking up my property, destroying my flourishing business, and banishing me from the colony !

I now, my Lord, proceed to the examination of the warrant itself ; and as it is the principal measure of which I complain, the act which hurled ruin and defamation upon me, I beg to append a copy of it. The warrant commences with a wholly untrue assertion : it says, "Whereas George Greig, by special permission of His Majesty's Government, printer of the *South African Commercial Advertiser*," &c. So far, my Lord, from any "special permission" having been granted, I have already stated that *no application* was ever made to the colonial government on the subject, nor could they have been aware of my intention until the paper was publicly announced ; thus the very reason which the Governor assigns, in the preamble to this warrant, for resorting to such a step, is wholly unfounded : the remainder of the sentence is equally untrue. The warrant next states, that I had wantonly and seditiously persisted in doing so (that is, transgressing the "special permission"), after having been warned by His Majesty's fiscal, and been required to give security for the due observance of the said conditions. Your Lordship is already aware that the "warning" here spoken of took place on Monday, May 3rd. No previous conversation had taken place on the subject. The fiscal at that interview never pretended that I was transgressing the terms proposed by the colonial government, nor did he speak of any "permission" having been granted ; on the contrary, he said he was instructed to inform me that I had departed from the conditions *voluntarily* proposed by *myself* ! Proposed by myself ? but to whom proposed ? Certainly not to the colonial government, for no communication whatever upon the subject passed. If any conditions were proposed, it was to the public, in the prospectus, with which Lord C. H. Somerset had no more to do than any *other subscriber*. The fiscal, after stating the other objections which

the Governor had to my paper, and requiring security in 10,000 rixdollars for my future conduct, allowed me till the following Friday to give in an answer ; but from some cause the censorship of the paper was assumed the *next day*, and the fiscal's grave promise violated. A reference, my Lord, to the only paper published after that interview, will show, that unless the insertion of an article on the liberty of the press be construed into "wantonly and seditiously persisting in breaking those conditions," this part of the warrant is also untrue. Besides, my Lord, the terms of the warrant are wholly at variance with the fiscal's letter in the *Cape Gazette*, May 8th : he there states that he merely called upon me, in his official capacity, to give security for the observance of certain "conditions voluntarily proposed by myself." Thus has the Governor involved himself in the grossest contradictions : one day calling upon me to adhere to my "own voluntary conditions," and another charging me with having "seditiously broken the conditions under which I had permission to print !"

I trust, my Lord, I have fully exposed the total want of foundation for all the charges urged against me in the warrant, and consequently that the conduct pursued towards me was altogether uncalled for. Your Lordship having received all the papers, will be able to judge whether the *South African Commercial Advertiser* was calculated to "disturb the peace and tranquillity of the colony." It will also require some ingenuity on the part of the Governor to show how a paper, *universally supported*, could be productive of any such effect. If the "peace and tranquillity of the colony" were indeed endangered, the cause is rather to be found in the acts of the colonial government than in any act of mine. I could, my Lord, cite several cases, in which heavy and exemplary damages have been awarded against governors of colonies, for conduct of a less oppressive nature ; but one may suffice. In Cowper's Reports (1774), *Falrigas v. Mostyn*, a governor of Minorca banished a man for "rioting." On his counsel arguing that he was absolute, and therefore not amenable to the English courts, Lord Mansfield judged, that as the King, by whom he was appointed, possessed no such power, he could not delegate it to another. The jury coincided, and gave a verdict of heavy damages to the injured individual. Besides, supposing

a governor to possess absolute power, he is equally culpable if he exercise that power wantonly and *mala fide*. My Lord, I challenge the Governor to point out any thing in my paper, or any part of my personal conduct, that tended to disturb "the safety of the colony;" and if he can, then let him show the necessity for superseding the *laws*, and causing the ruin of a British subject: and, my Lord, I trust that the importance of vindicating my character from the unfounded aspersions of the Governor, and of showing how this has operated to the ruin of *all* my present prospects, will plead my excuse for trespassing upon so much of your Lordship's valuable time. It is not in the power of the Governor to adduce a single instance in which I refused obedience to the constituted authorities of the colony, or committed one act subversive of the laws.

The effect of that warrant was most alarming, particularly among the commercial body.

One of these, whose importations into the colony exceed annually £40,000 waited on the Commissioners of Inquiry; the satisfaction he derived from whom was a confident assurance that His Majesty's Government would do full justice to any individual so oppressed. My objects, my Lord, are briefly to lay before your Lordship the "facts" exactly as they occurred, to vindicate my character from the attacks by which it has been assailed, and to seek remuneration for the total loss of my business and prospects. I am desirous of returning to the colony, in which I have left so many friends, and where there is so fair a prospect of following, usefully and successfully, my profession; but this, my Lord, I could only consent to upon the assurance of having both my person and property subject only to *law*, and being punishable only *after* an offence has been proved to have been committed. Upon any other terms, no individual of respectability would undertake the conduct of a publication at the Cape. This assertion is borne out by the fact of the editors of the *South African Journal* having relinquished their undertaking after the suppression of my paper, and after one of them, (Mr. Thomas Pringle) had been personally insulted by the Governor, on account of an article inserted in their second number. The influence, and even *threats*, used to prevent persons signing a memorial for a free press, is another proof, if any were wanting,

that the Governor is decidedly hostile to its existence in the colony.

I continued my arrangements in obedience to the warrant for leaving the colony ; and, as a last act, advertised the sale of my property. One half the time allowed me to remain was elapsed, when on Sunday night, May 23rd, I received a letter from the fiscal, contained in the third postscript, signifying that the Governor had rescinded the order for my banishment, and stating further, that it *never* had been his Excellency's intention to enforce that order. Thus I am one day charged with being "seditious" and dangerous to the "safety of the colony," and after that charge being acted upon to *my ruin*, I am informed by the highest law officer in the colony, that, in effect, the Governor *never believed those charges* ! Had the letter contained any promise of restoring me to my former situation, I should cheerfully have recommenced my profession ; but in the absence of this, I felt myself called upon to decline the boon. From this moment every means were resorted to, to vilify my character, and find a pretext for my actual banishment. Among numerous placards which followed the extinction of the press in South Africa, one of an atrocious character was *said* to have been posted in the Heeregracht, charging the Governor and Dr. Barry with an abominable crime. The large subscription raised, exceeding 25,000 rix-dollars, to discover the author, tempted a servant of Mr. Edwards to accuse him and a Mr. Wilmot. In the course of examination he introduced *my name* also ; and a warrant was obtained for searching my premises for "illegal documents." My Lord, in adverting to this circumstance, I do it, not so much with a view to complain of the indignity of being compelled, upon a vague charge, to exhibit my most *private* papers and documents, but to show that I was throughout pursued with unremitting rancour and virulence ; and after the perjury of the informer was thoroughly exposed, the Governor, although he had previously promised me copies of the depositions, refused to interfere, nor would the fiscal prosecute the man for perjury. In justice however to the fiscal I ought to state, that he informed me I was at liberty to sue the informer for damages.

Throughout this statement, my Lord, I have endeavoured to tell "a plain, unvarnished tale ;" I have desired "nothing

to extenuate," nor have I "set down aught in malice:" as nearly as was consistent with a proper understanding of the case, I have adhered to a simple narrative of the facts. In now drawing to a conclusion, I beg to express my entire confidence in your Lordship's justice. I cannot however doubt, that as the Governor has failed, by threats or cajolery, in detaining me in the colony, he will exert all his power to make up a plausible case. I court inquiry, my Lord; I rely on the facts. It cannot be controverted that my paper, at the moment of its suppression, was universally popular; such being the case, why was it interrupted? If I had committed any offence, where was the court of justice? With the venality of its members, or the objections urged against its present construction, I have here nothing to do. The Governor thought proper to set all law and usage aside, and take the responsibility upon himself; and it is for *this act* I seek redress. I do not desire your Lordship to rely on my assertions alone; many of the facts are well known to persons of high respectability, now in London, who were at the Cape during the time. The stay of some of these may be of short duration; should your Lordship therefore deem any reference to them necessary, I will furnish a list of their names.

I will just further state to your Lordship, that owing to the inaccuracy of the *first warrant*, the Governor issued a "rectifying warrant," directing every description of my printing materials to be sealed up. I then required the colonial government to purchase them: to this they agreed; but owing to the Governor insisting on their valuation by two of my work-people, I sustained considerable loss. A statement of this and all other losses I will furnish whenever your Lordship shall call for them.

In the confidence that your Lordship will never lend your sanction to acts of an arbitrary nature, and that I shall meet with full redress and remuneration for the injuries I have so unmeritedly sustained from Lord C. H. Somerset, I now leave my case in your Lordship's hands. I have &c.

(Signed)      GEORGE GREIG.

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[Copy.]

*Letter from MR. GEORGE GREIG to EARL BATHURST.*

32, CITY ROAD, 19th November 1824.

MY LORD,—Having by late letters from the Cape of Good Hope learned that a newspaper and printing establishment is commenced there by a person formerly connected with the Colonial printing office, and being aware that there were at the time *no* printing materials in the colony but those purchased from me and their own, I beg to inform your Lordship of this fact; conceiving, as I do, that it adds an aggravating ingredient to my case.

Begging respectfully to solicit your Lordship's early consideration of my case, I have, &c.

(Signed) GEORGE GREIG.

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[Office Copy.]

*Letter from EARL BATHURST to LORD CHARLES SOMERSET.*

DOWNING STREET, LONDON, 20th November 1824.

MY LORD,—I have the honor of enclosing an Order which the King has been graciously pleased to direct should be transmitted to Governors and Acting Lieutenant Governors, for a Uniform which they are permitted to wear.

By this Order your Excellency will observe that there is also a Uniform which the Superior Officers of each Colonial Government will be permitted to wear. Your Excellency will therefore notify to me the names of those Superior Officers within your Government who may appear to you most deserving of this distinction; and it must be understood that none but those whose names you shall have transmitted to me for his Majesty's approval shall be at liberty to wear this Uniform.

I have &c.

(Signed) BATHURST.

[Office Copy.]

*Letter from EARL BATHURST to LORD CHARLES SOMERSET.*

DOWNING STREET, LONDON, 20th November 1824.

MY LORD,—I have the honor to acknowledge the receipt of your Excellency's dispatches of the numbers and dates noted in the margin.

In the first of these dispatches your Excellency has enclosed Statements of certain items of ordinary and fixed contingent Expenditure incurred under your authority during the year 1822; and in the next dispatch you have transmitted Statements of the several new appointments and of the encreased Salaries which you authorised during the year 1823.

Upon considering the aggregate amount of expenditure incurred in both those years in encrease of the expenditure of former years I cannot but express my regret that in addition to those statements, your Excellency did not transmit some general explanation of the causes which have, in your judgment, rendered such numerous and extensive augmentations to the Civil Establishment of your Government, either necessary or desirable; and as I entertain the confident expectation that your Excellency will be enabled to furnish me with satisfactory information upon that subject I deem it expedient to return these statements to you in order that the several items of expenditure may be properly classed and valued in Sterling money under the several heads of Service for which they were incurred, to which there should be added such detailed information as may enable me to convey to the Lords Commissioners of His Majesty's Treasury my opinion respecting the necessity of such expenditure.

Your Excellency will understand that this instruction is equally applicable to the contingent expenditure of your Government. I have &c.

(Signed) BATHURST.

[Office Copy.]

*Letter from* EARL BATHURST *to* LORD CHARLES SOMERSET.

DOWNING STREET, LONDON, 20th November 1824.

MY LORD,—With reference to my dispatch to your Excellency of this day's date relating to the Contingent Expenditure of your Government for the year 1822 I beg to call your attention to the charge for the repair of Newlands and to refer your Excellency to my dispatch of the 2nd July 1823 enclosing the copy of a communication which had been made by my desire to the Treasury conveying my sanction of the repairs of that building, on the express understanding that your Excellency should transmit an estimate of the probable expence likely to be incurred. I have &c.

(Signed) BATHURST.

*List of all such Quitrent Places and Lands as are situated in the District of Albany.*

Name of Proprietor.	Extent of Grant.			Amount of Rent.	
	Morgen.	Roods.	Feet.	Rds.	Sks.
Widow W. Nel . . . .	3000	—	—	5	—
B. J. de Klerck . . . .	3000	—	—	31	2
L. R. Erasmus . . . .	3000	—	—	35	6
P. B. Botha . . . .	1371	25	108	28	4
P. J. Victor . . . .	3000	—	—	70	—
A. C. Lombard . . . .	3000	—	—	59	2
J. Potgieter . . . .	3000	—	—	31	2
F. J. van Aardt . . . .	3000	—	—	47	—
do. . . .	3000	—	—	48	4
W. A. van Aardt . . . .	3000	—	—	41	5
W. G. Lotter . . . .	3000	—	—	32	2
P. J. Prinsloo . . . .	3000	—	—	37	2
L. J. Nel . . . .	3000	—	—	49	—
W. A. van Aardt . . . .	3000	—	—	64	—
C. van Tonderen & Co. . . .	3000	—	—	41	5
P. J. Fourie . . . .	3000	—	—	101	—
J. J. Durand . . . .	3000	—	—	47	—
M. C. Bosch . . . .	3000	—	—	65	4
L. J. Erasmus . . . .	3000	—	—	81	7
W. van der Vyver . . . .	3000	—	—	68	—
B. J. de Klerck . . . .	3000	—	—	31	2



*List of all such Quitrent Places and Lands as are situated in the District of Albany—continued.*

Name of Proprietor.	Extent of Grant.			Amount of Rent.	
	Morgen.	Roods.	Feet.	Rds.	Shs.
H. G. van der Vyver.	3000	—	—	31	2
G. J. Botha	3000	—	—	69	2
B. J. de Klerck	3000	—	—	73	5
W. Nel	2999	144	72	31	2
L. J. Erasmus	1017	340	—	10	4
G. J. Engelbregt*	2873	120	—	45	—
J. J. Durand, junior	3000	—	—	47	—
L. J. Erasmus	2593	432	72	27	—
P. B. Botha	3000	—	—	31	2
G. T. Victor	466	528	72	9	5
P. B. Botha	3000	—	—	65	6
W. A. van Deventer	1558	200	—	19	6
W. W. Viljoen	2902	471	—	30	2
L. J. Erasmus	3000	—	—	41	5
C. van Tonder & Co.	2269	438	—	31	4
J. H. van der Vyver*	2945	217	—	30	5
G. J. Engelbregt*	1516	540	—	15	6
J. Potgieter*	2351	525	—	36	3
R. Hart*	139	343	—	30	6
J. G. Welgemoed*	2014	—	—	24	7
A. Botha	3000	—	—	48	2
G. Lombard	3000	—	—	48	3
P. J. Victor	2862	396	36	44	—
J. du Preez	1901	535	72	29	—
W. A. van Aardt	1164	39	—	16	—
J. J. Durand	324	24	108	5	—
B. J. de Klerck	1687	470	—	17	—
T. Botha	1935	464	—	27	—
J. D. Botman	1475	87	72	25	—
Captain L. Ellert*	3099	102	—	35	—
P. Retief	4	—	—	1	—
T. Sandilands	—	201	5	—	1
Captain H. Somerset	296	—	—	2	—
T. Blakeway	—	318	148	1	—
F. Fynn	56	161	—	2	—
T. Clarke	—	412	72	1	—
P. Retief	2	—	—	1	—
B. Burnett.	507	326	—	5	—
Lieut. Col. J. G. Guyler*	2000	—	—	63	—
Widow S. du Preez*	1999	435	—	63	—
T. Cummings	1	502	108	1	—
Neil O'Dogherty	—	340	—	1	—
S. Mulder	1915	357	—	60	—
Major J. Jones	250	—	—	5	—
J. Goodwin	286	341	—	12	—

Those marked \* have ten years rent free.

*List of all such Quitrent Places and Lands as are situated in the District of Albany—continued.*

Name of Proprietor.	Extent of Grant.			Amount of Rent.	
	Morgen.	Roods.	Feet.	Rds.	Sks.
Captain O. Stuart . . . . .	1	200	—	1	—
Lieutenant A. B. Armstrong . . . . .	1	47	109	1	—
Lieutenant W. H. Rogers . . . . .	—	583	124	1	—
Captain R. J. Aitcheson . . . . .	—	396	126	1	—
W. Lucas . . . . .	—	532	72	1	—
J. Pitt . . . . .	—	438	108	1	—
D. Campbell . . . . .	2996	160	—	50	—
G. Humphries . . . . .	—	440	90	1	—
Lieutenant T. B. Yates . . . . .	—	565	84	1	—
J. Crichton . . . . .	26	280	—	12	—
Major J. Jones . . . . .	558	260	—	20	—
Captain C. Trappes . . . . .	1237	330	—	20	—
G. Pigot . . . . .	46	—	—	20	—
W. Austin . . . . .	1002	—	—	30	—
Captain C. Trappes . . . . .	2138	208	—	50	—
H. Nourse . . . . .	1884	400	—	50	—
Captain H. Somerset . . . . .	178	481	—	5	—
J. D. Smuts* . . . . .	2826	—	—	31	—
M. Bowker . . . . .	1270	—	—	10	—
Captain E. Emmett . . . . .	1067	293	—	30	—
J. Goodwin . . . . .	139	37	72	2	—
H. Rivers . . . . .	3106	—	—	36	—
L. J. Nel* . . . . .	3773	232	—	50	—
D. Campbell . . . . .	2658	8	72	31	—
P. Retief . . . . .	2986	277	—	39	—
C. van Rooyen* . . . . .	1503	405	—	20	—
W. C. Bouwer* . . . . .	2998	365	—	39	—
O. Goosen* . . . . .	2882	—	—	38	—
Widow G. Broekhuizen and Children* . . . . .	1097	380	—	36	—
T. C. Engelbregt* . . . . .	1442	355	—	19	—
J. Z. Buys* . . . . .	2971	520	—	40	—
P. L. Zietsman* . . . . .	1584	351	—	39	—
C. van Schalkwyk* . . . . .	2940	520	—	38	—
J. Dixon* . . . . .	890	300	—	9	—
M. Bowker* . . . . .	513	198	—	6	—
J. Richardson . . . . .	714	400	—	7	—
G. Smit* . . . . .	1158	300	—	11	—
J. Mandy* . . . . .	628	119	—	6	—
T. Mahoney* . . . . .	1564	—	—	16	—
C. Mouncey* . . . . .	602	52	—	6	—
G. Pigot* . . . . .	1825	388	—	18	—
G. Dyason* . . . . .	1448	—	—	14	—
J. Carlisle* . . . . .	634	130	—	7	—
T. Wainwright* . . . . .	604	300	—	6	—

Those marked \* have ten years rent free.

*List of all such Quitrent Places and Lands as are situated in the District of Albany—continued.*

Name of Proprietor.	Extent of Grant.			Amount of Rent.	
	Morgen.	Roods.	Feet.	Rds.	Sks.
E. Gardner*	862	132	—	9	—
E. Ford*	1154	400	—	12	—
C. Hyman*	1353	400	—	14	—
S. James*	675	300	—	7	—
G. Thornhill*	843	132	—	8	—
R. Hayhurst*	604	260	—	6	—
W. Howard*	804	376	—	8	—
W. Scanlen*	960	—	—	10	—
T. Greathead*	647	282	—	7	—
J. Stanley*	541	235	—	5	—
T. Philipps	1021	410	—	10	—
W. Smith*	2135	360	—	21	—
G. Southey*	700	144	—	7	—
A. Biggar*	909	468	—	10	—
Nottingham Party*	2768	282	—	28	—
C. Dalgairns*	882	450	—	9	—
S. Bradshaw*	993	286	—	10	—
H. Sephton*	5913	532	—	59	—
N. Morgan*	628	450	—	6	—
T. Philipps*	872	300	—	8	—
D. Mills*	531	288	—	5	—
B. Leech*	665	232	—	6	—
A. Barker*	572	500	—	6	—
W. Owen*	597	200	—	6	—
S. Liversage*	624	425	—	6	—
G. Dyason	6	281	57	20	—
R. H. Rubidge	900	—	—	10	—

Those marked \* have ten years rent free.

| Land Revenue Office, 20th November 1824.

(Signed) J. H. BRAND.

[Office Copy.]

*Letter from EARL BATHURST to LORD CHARLES SOMERSET.*

DOWNING STREET, 21st November 1824.

MY LORD,—I herewith transmit to your Excellency copies of a letter and of its enclosure which have been received from His Majesty's Treasury representing the great loss which the

Owners of Vessels employed in the trade to the East Indies have sustained in consequence of the manner in which the Act 4 George 4, Cap. 41 and 80 has been framed, and that in their Lordships' opinion it was not the intention of the Legislature in passing that Act to deprive the Owners of Vessels building on the 5th of January 1816 or built since that time, of the privileges which they enjoyed under the licence of the company by the exception made in their favor by the Act referred to ; and in conformity with the opinion expressed by their Lordships I have to desire that until means shall have been taken for the amendment of such parts of the said Act, which in its operation has repealed the 3rd Section of the 55th George 3 cap : 116 and thereby proved greatly injurious to the interests of such Owners, your Excellency will adopt proper measures for preventing the seizure of any Vessels which would have been protected if the 3rd Section of the 55th George 3, cap. 116 had remained in force. I have &c.

(Signed) BATHURST.

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[Copy.]

*Letter from the COMMISSIONERS OF ENQUIRY to LORD CHARLES SOMERSET.*

CAPE TOWN, 21st November 1824.

MY LORD,—We have the honor of acknowledging the receipt of Your Lordship's communication of the 19th Instant, recalling our attention to the subject of the augmentation of Mr. Brink's Salary, and urging the consideration of new reasons that have occurred for a speedy determination upon the subject either arising from the long illness and subsequent retirement of Lieut. Col. Bird from the Office of Colonial Secretary or the expected arrival of his Successor. Your Lordship probably will not expect upon the present occasion that we should enter into a detailed consideration of the relative duties that may devolve upon the Secretary's Office in the present and prospective arrangements for that Department. It may be sufficient at present for us to say that we entirely concur in the view taken by Your Lordship of the meritorious Services of Mr. Brink,

and from the general observations that we have been enabled to make of the nature and extent of the duties that the Assistant Secretary is called upon to perform, as well as the importance of those duties being adequately remunerated, we feel no difficulty in giving it as our opinion that immediately on the retirement of Mr. Brink from the Situation of Acting Colonial Secretary which he has now held with the Emoluments attached to it for Five Months, he should receive as Assistant Secretary a Salary of £600 a year.

We further beg leave to state that the matured qualifications possessed by Mr. Brink for the Office of Assistant Secretary and the peculiar circumstances in which the Secretary will find himself placed on his arrival have appeared to us to exclude the consideration suggested in Your Lordship's despatch to Earl Bathurst dated 7th January 1823, of regulating the Emoluments of the Assistant Secretary by a graduated scale.

Reserving to ourselves the opinion we may hereafter have occasion to offer to Earl Bathurst upon the future application of that principle, we beg to add that we shall lose no time in affording His Lordship an early explanation of the circumstances that have appeared to us to warrant our making a special exception of the Case of Mr. Brink to those of other Functionaries as well as an exposition of the grounds that we think will induce His Lordship to confirm the augmentation that we have had the honor to recommend in favor of that gentleman whilst the Office remains as at present constituted.

We have &c.

(Signed) JOHN THOMAS BIGGE,  
WILLIAM M. G. COLEBROOKE.

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[Office Copy.]

*Letter from* EARL BATHURST *to* LORD CHARLES SOMERSET.

DOWNING STREET, LONDON, 22nd November 1824.

MY LORD,—I transmit to your Excellency herewith enclosed a Statement of Salaries, Pensions and other payments for which the Commissioners of Colonial Audit have acquainted

me that your Excellency had taken credit in the accounts of your Government for the year 1819, but which the Commissioners have not felt themselves authorised to admit without the sanction of His Majesty's Government.

I likewise annex for your Excellency's information and guidance a copy of the answer which I have directed my Under Secretary of State to return to the Commissioners of Audit, together with a statement of the items of expenditure which I am prepared to sanction and of those payments respecting which I consider it necessary to require further explanations from your Excellency, before I can take His Majesty's Pleasure upon the subject. I have &c.

(Signed) BATHURST.

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[Copy.]

*Letter from the COMMISSIONERS OF ENQUIRY to LIEUTENANT COLONEL BIRD.*

CAPE TOWN, 22nd November 1824.

SIR,—Having had occasion to observe that the separation of the present district of Albany from that of Uitenhage, and the definition of its boundaries was announced by Proclamation of the 15th October 1820, a few days after the receipt from Earl Bathurst signifying His Majesty's pleasure that "in any further grants of land to be made in the District of Uitenhage or any other Settlements either to the northward of that District or more immediately on the frontiers of Caffreland, it should be made a special condition of the grants, that the Lands should be cultivated by free Labourers alone," and adverting also to the fact that the grants that have subsequently been made in the District of Uitenhage have not been made subject to the restriction which was commanded should be imposed on all grants in that District, we have been led to conclude that it must have been in the contemplation of the local Government to construe the command as expressive of the intention of His Majesty to prevent the growth or introduction of Slavery upon that frontier of Caffreland, and especially in the country that had newly been settled by British Emigrants, and that it was

in this view that the separation may have been made in the Albany District from that of Uitenhage.

As you must from your situation have been aware of the considerations that influenced the Acting Governor in the adoption of this measure, we are induced to request that you will favor us with an explanation upon this point, and as we observe from the returns of grants made in Albany that the restriction in question was applied to all grants that were subsequently made to the occupiers of land in Albany under the terms of the proclamation of Sir John Cradock of 28th January 1814, excepting in the instance of three grants that were confirmed on the 11th October 1820 in favor of Colonel Cuyler, P. Maré, and Mr. Muller, we are desirous of being informed by you whether it was in the contemplation of Sir Rufane Donkin to subject to the restriction in question the lands settled under that Proclamation and the Government Advertisement of the 18th April 1817 and situated to the north of the Bushman's River, and at the same time to exempt the occupiers under the same regulations situated to the south of the Bushman's River from the operation of it.

We also request that you will be so good as to inform us whether any provision was intended to be made for giving effect to the restriction which it was His Majesty's pleasure to impose along that part of the frontier of Caffreland which extends beyond the District of Albany to the northward and westward, and especially in the neighbourhood of the Scotch Settlement on the Baviaans River. We have &c.

(Signed)      JOHN THOMAS BIGGE,  
WILLIAM M. G. COLEBROOKE.

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[Original.]

*Letter from MR. THOMAS WILLSON to EARL BATHURST.*

STOCKWELL, 22nd November, 1824.

MY LORD,—It is a very painful duty, at this period, that I have to inform your Lordship of a most unlooked for oppression, resulting from my unfortunate Enterprise to the Cape of Good

Hope ! Flattering myself that I had *there* settled everything legally and satisfactory to the Court of Justice, and that I had left every hostile spirit of revenge far distant from me, to my utter surprise I have been *arrested* at my present retirement late on Saturday Evening last ! and my children and Mrs. W. (who is in a very delicate and precarious state of health from an accident she met with at the time of our embarkation) have been plunged again into the utmost distress of mind, by two Settlers whom I had the misfortune to take out with me, and who are recently returned to England, upon the old score of the Deposit Money ! Surely, My Lord, after the experiment of so many arrests at the Cape (twenty-five in number) *all* of which I defeated by the accuracy of my Ledger, having my discharge signed by each Individual of my party, and which was exhibited to the late Acting Governor, Sir Rufane Donkin, it is most strange to find myself hunted down in this manner, and me and my family persecuted with endless torture ! I have for the moment, bailed this action, and as your Lordship is aware that my Documents of Evidence were detained by the Authorities at the Cape, I must pray your Lordship to afford me such protection as the minutes of your correspondence with the Commissariat will enable you to do ! and I trust that your Lordship will at length see the propriety and necessity of releasing to me the balance of my Deposit Money ! that I may promptly and finally quash any such attempt of oppression in future : for if I am thus continually to be exposed to the abrupt and brutal attacks of every other of my followers who may return to England, my life is not worth the tenure under such endless persecution !

Requesting an early reply, that I may submit the same to the consideration of my Counsel to defend the present action,

I have &c.

(Signed) THOS. WILLSON.



[Office Copy.]

*Letter from EARL BATHURST to LORD CHARLES SOMERSET.*

DOWNING STREET, LONDON, 23rd November 1824.

MY LORD,—I have the honor to acknowledge the receipt of your Excellency's dispatch under date of the 14th of June last, reporting the amount of expenditure which you had authorised on account of public buildings which it was necessary to erect for the District Establishment of Albany, and I have to convey to your Excellency my approbation of that Expenditure.

I have &c.

(Signed) BATHURST.

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[Office Copy.]

*Letter from R. W. HORTON, ESQRE., to LORD CHARLES SOMERSET.*

DOWNING STREET, LONDON, 24th November 1824.

MY LORD,—I am directed by Earl Bathurst to request that your Excellency will have the goodness to order the necessary enquiries to be instituted in order to ascertain what has become of Laurence Redmond who on being discharged from the 6th Foot at the Cape of Good Hope during the month of May 1822 entered into the service of the local Government as an Artificer.

I have &c.

(Signed) R. W. HORTON.

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[Original.]

*Letter from LORD CHARLES SOMERSET to the COMMISSIONERS  
OF ENQUIRY.*

GOVERNMENT HOUSE,  
CAPE TOWN, November 24th 1824.

GENTLEMEN,—I do myself the honor to acknowledge the receipt of Your Letter of the 20th instant, and in reply to transmit to you Copy of the Colonial Secretary's Letter to Major Jones, Landdrost of Albany, dated 14th June 1821, announcing for the information of the Inhabitants of that district the determination of His Majesty's Government, that in all future Grants of Land in the Frontier Districts a condition should be inserted that free Labourers only should be employed in the cultivation of them. I have &c.

(Signed) CHARLES HENRY SOMERSET.


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[Copy.]

*Letter from LIEUTENANT COLONEL BIRD to the COMMISSIONERS  
OF ENQUIRY.*

LIESBEEK COTTAGE, 25th November 1824.

GENTLEMEN,—I have to acknowledge the Honor of your letter of the 22nd instant. It is not in my recollection to have had any discussion with the Acting Governor on the points therein adverted to, or that I was consulted by him on the questions. I believe that in giving effect to the communication of Earl Bathurst to which you refer, the regulation was considered to apply to that part of the Colony newly settled on the Caffer frontier, east of the Bosjesman's River, and that the grants in the Zuurveld would be made out accordingly. But I believe that it was supposed that the order was not intended to introduce the new Clause into tenures which should be situated in those parts of the Colony where, by the old tenures, slave labour was of course permitted, for had it been, perhaps part of a proprietor's estate might be legally cultivated by



slave labour while another part could only be so by free labour, an inconvenience and incongruity probably not contemplated in the general wording of the Secretary of State's letter. In those parts therefore which lay along the Caffer frontier the clause was introduced into new grants, including those on the Bavians River, but not into others, and if my recollection serves me I think that the 3 grants to Col. Cuyler, P. Maree, and Mr. Muller were of lands adjoining their respective properties in the immediate vicinity of the town Uitenhage, where all property is held on the old footing. But by the dates quoted in your letter, which are anterior to that of the Proclamation of 15th October 1820, I doubt whether the point to which you refer was considered at the time those grants were confirmed. Having no documents to refer to, to refresh my memory, I give the above explanation with diffidence and without being quite satisfied that it is either full enough or perfectly correct.

I have &c.

(Signed) C. BIRD.

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[Copy.]

*Letter from the Landdrost of Graaff Reinet to the Deputy  
Landdrost of Cradock.*

GRAAFF REINET, 25th November 1824.

SIR,—In acknowledging the receipt of your Letter of the 18th Instant, transmitting Copies of the Report of Field Cornet Van der Nest, of the 12th and 14th Instant, my attention has been particularly arrested, by the extraordinary Contents of the Latter, describing the manner in which one of the Caffres, who brought out Oxen stolen from the Colony, and a runaway Female Slave, met his death.

From the confused account given of the transaction, it is impossible to draw any just Conclusion, as to the necessity which existed of firing on the frightened wretches, described by the Field Cornet, but it seems most unaccountable that in a place so numerously occupied as Van der Nest's, such a

desperate alternative can have been called for, towards securing three men, armed with assagais only.

I hope therefore you may be pleased to enquire more particularly into the Circumstances of the affair, as we cannot too strongly inculcate into the minds of the Inhabitants that because the Caffres will take every advantage of us, is no reason, that we should follow their example, and that whilst the Government will protect our lives and property at any price, it will watch zealously against every unnecessary effusion of blood. I have &c.

(Signed) A. STOCKENSTROM.

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[Copy.]

*Extracts from a Letter from* LIEUTENANT COLONEL CUYLER *to*  
*the COMMISSIONERS OF ENQUIRY.*

UITENHAGE, 25th November 1824.

GENTLEMEN,—I am honored with the receipt of your Letter of the 11th present Month, requesting information as to the former plans of defending the frontier Settlements of the Colony against the inroads of the Caffres, and requesting any observation on the subject from me.

From my first arrival, in the early part of the year 1806, charged with both the Military and Civil Superintendence of the Frontier of the Colony, at which time the District of Uitenhage extended to the Fish River, the boundary of which dividing the Colony from Kaffer Land, and comprehending the Territory now composing the province of Albany, and which was separated by the proclamation of the 13th October 1820 and on which the Emigrants from England were located in 1820, various and almost contradictory instructions were at different periods my guide, they however generally and principally enforced mild and forbearing Conduct on my part towards the Kaffres, which experience ultimately evinced were not sufficient to protect the Colonial Settlers, and from which the Savages were encouraged rather than suppressed in their depredations. Matters got to such a pitch as to leave no alternative but to use force to expel them from within our

limits (where the Chiefs Slambie, Kongo, Havana, Kassa, with other Petty Chiefs had kraaled themselves to the Banks of the Zondags River and even on this, the Cape, side was the constant Head Quarters of Kongo, the Father of the present Chief of the same name) which was happily accomplished with very trifling loss of either lives or property on either side in 1812. As it may tend to elucidate the state of this Frontier previous to these operations, I take the liberty of enclosing the copy of a Letter I addressed to the late Mr. Alexander the then Colonial Secretary, in answer to several queries put to me in a confidential way regarding the actual state of the Frontier. Notwithstanding the very great exertions on the part of Government, after the expulsion of the Kaffers in the first instance, in keeping up a Burgher force composed of Farmers from Stellenbosch and other Districts interior of this, and in most advantageously stationing a very great Military Force for the protection and defence of the regained Country, the Caffres continued their depredations, at first not to that extent, but from their not being timely Checked, grew into excess again, when in 1819 they in Hundreds overran the Country, and by show of numbers and at some places daringly attacking compelled not only the then established Farmers, but also the Military to abandon their Posts, and at which period they also attacked Graham's Town, the Head Quarters of the Frontier, when they were by a powerful Commando, assembled from all parts of the Colony, expelled, and driven again into subjection. I here embrace the opportunity to refer to the accompanying statement of the Depredations committed by the Kaffers up to this period. To particularize the various occurrences that took place, would be too tedious and of no great moment I humbly conceive to the present subject of the information wished.

I cannot now recollect of any Special Proclamation to induce the Settlement of a denser population along the Frontier that was so exposed to the inroads of the Savages after the Commando of 1812. Nor do I find any record or document previous to Sir John Cradock's proclamation of the 28th January 1814, authorizing the ten years free of Rent to such as would settle within these prescribed limits (there however may be some which I at present do not recollect).

When, to say, verbal encouragements were often and repeatedly offered, when per Government Letter dated Bruintjes Hoogte 29th March 1817, addressed to the Magistrate of Uitenhage, republished in the *Cape Gazette* of the 18th April following, a stronger inducement was held out, and to explain the result of all those efforts to induce a Settlement up to March 1820 I have the honor to enclose the Copy of a Return called for at that period, to see what Land was occupied by such Settlers, and at the same time to shew what extent of Country might be disposable for the Emigrants at that moment expected from England. The entire of those places stated in the Return were I believe with the exception of two, De Bruins Drift and Assagay Bush, which were Military Posts, compelled to be vacated or abandoned (and I am not quite sure, whether they were also not evacuated) by the excursions of the Kaffers in 1819. It may here be necessary to observe, that all the places mentioned in this Return were situated and comprehended in the former Subdrostdy of Uitenhage, now Province of Albany, exclusive of which other Settlers, and other Military Posts occupied and comprizing 39 different Farm places situated between the Bosjesmans River and the Coega, and extending to the foot of the Zuurberg Mountain from the Coast, all within the present limits of Uitenhage, were also forced to be abandoned by the inroads of the Savages in 1819. The institution of Witte River, now called Enon, which is situated in the last described Country near the Zondag's River under the Zuurberg was attacked in April 1819. Nine of their best and most active men who were armed, and herding the Cattle, were murdered at one time, five or six of them old discharged soldiers of the Cape Regiment, and had been accustomed to act against the Caffres, the rest so hemmed in, that I was compelled to send the Commandant Muller with 50 armed and mounted Burghers to their relief and to bring the Missionaries, their Families and the remainder of the people out to this place, where they remained I think till the October following, when Peace was so far restored, and when they returned to it again. The Enclosed was their strength taken from the Opgaaf Roll of 1820, which perhaps may have had a few added to their number from the year before, but as they made no Opgaaf before, I can't furnish a nearer Document. I am not able to

procure the strength of Theopolis for 1819, as no Opgaaf was made that year, but enclose that of the year 1818, while they were still belonging to the Subdrostdy. I am however ignorant as to the number of effective men or firelocks they could or did muster during the incursion of the Caffres, or when they were attacked in 1819. I understood they had defended the Institution by Palisade intrenchments, by which they secured their persons, but their Cattle were stolen by the Caffres. I have every reason to believe that from the Success attending the marauding of the Savages in 1819, and the little or no opposition they met with before the Commando assembled, that nothing but the fortunate rise or overflowing of the Zondags River which prevented their crossing it, stopped their Depredations westerly, and probably saved this village from destruction. I have here Gentlemen, endeavoured in a cursory manner to detail the state of this Frontier, with regard to the arrangements made for its defence against the Caffres and the Depredations notwithstanding committed by them.

I have to regret that I feel myself unequal to offer any adequate opinion of the present resources of the Albany District under its present state of settlement, as to its opposing any effectual resistance, in the event of any general incursion of the Caffres, independently of the means that the Military now stationed on the Frontier may afford.

I may now be permitted to state, the Line separating the Colony from the Caffre Territory seems to have been differently fixed at periods. It was formerly understood to be the Great Fish River. By Proclamation of the 13th October 1820, we are to conceive it to be the Keiskamma, which however I believe has since been altered, tho' I can find no Proclamation for such alteration.

It unfortunately happens that the Fish River taken as a Boundary does not afford those natural advantages to be wished for, to induce a close settlement on or near its banks, exclusively of the very great Bow it makes from about where the Kat River empties itself to the Settlement at Bavians River under Graaff Reinet, which if left to be occupied by the Caffres would suffer them to come completely within a curve, so as greatly to annoy the Colonial Settlers, on our Frontier contiguous thereto. So much of the River, say from De Bruyns

Drift to where the Kap River empties itself, below Kaffer drift Post, an extent of probably from 20 to 30 miles and probably from 5 to 10 miles wide on our side is so completely covered with thickets, as to render the country unfit for settlement, and at the same time affording Shelter to the Kaffers, thus a great impediment to forming a line of defence.

If the Keiskamma were the Boundary it certainly would be more advantageous, in respect to admitting a Denser Settlement, as I am informed that River runs through a fine open Grazing Country, and probably not more than from 8 to 9 Hours ride on Horseback from the foot of the Mountain from whence it flows to the Coast, a distance full half less than the Fish River from Bruintjes Hoek to the Sea, thus a shorter line on the Caffer Country and few covers of any extent that can afford hiding places for the Caffres, when compared to the great Bush on the Fish River. This country is I believe termed Neutral Country, not occupied by either Colonists or Kaffers. I may be wrong, but such is my conception, as I don't at present know to the Contrary, and it is within this Neutral Country that some strong Military Posts are at present, and where the Newly Established Missionary Institution near the Chumie is fixed. If some four or five hundred Scotch (Highlanders) families were encouraged to emigrate and Settle particularly between Bruintjes Hoogte and the Keiskamma River, which Country having several fine waters passing through it, is in my humble opinion well formed by nature to support a strong and permanent settlement, good for Cattle of all sorts and adapted for agriculture.

From the great scarcity of labour experienced in this part of the Settlement and from the wish and anxiety expressed by numbers of those Kaffers, particularly the Ghona Tribe, who were driven out from amongst the Boers, where they have resided (even as far interior as Swellendam) as herdsmen in the year 1819 to be suffered to remain, I am inclined to believe that such of the Kaffer or Ghona people as may still be desirous of returning to the service of the Colonists, might perhaps now be safely admitted so to do, on that line of Country, west of the Banks of the Zondag River.

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F [Copy.]

*Letter from the REVEREND WILLIAM GEARY to LORD CHARLES SOMERSET.*

MORRISON'S HOTEL, CAPE TOWN, November 25th 1824.

MY LORD,—I have the honor to inform your Lordship that on my Arrival here this morning with my family I waited on Mr. Brink to know Your Lordship's determination respecting the petition contained in a Memorial which I had lately the honor of addressing to your Excellency, and was informed by that Gentleman that it was ordered to lie over until my arrival. Having seen the late Acting Secretary, since his presentation of that Memorial to your Excellency this day, I was informed that your Excellency wishes for a detailed statement of the expences for which I have solicited a remuneration.

In doing myself the honor of transmitting the same, I beg to assure your Excellency that they are considerably under estimated as far as respects the valuation by Mr. Mandy, for in the hurry of the moment I had omitted to mention to him many things which have since occurred to me, particularly a Well that I had incurred considerable expence in making at the bottom of my Garden, and which produces an unfailing supply of most excellent water. I merely mention these circumstances that your Lordship may not suppose I have taken any undue advantage, in consequence of Mr. Rivers declining to appoint a Surveyor on the part of Government, agreeably to my own invitation officially addressed to that Gentleman. I have &c.

(Signed) WILLIAM GEARY.

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[[Original.]]

*Letter from LORD CHARLES SOMERSET to EARL BATHURST.*

CAPE OF GOOD HOPE, 27th November 1824.

MY LORD,—I do myself the honor to inform Your Lordship that Sir Richard Plasket arrived here on the 22nd Instant, and conveyed to me your Lordship's Despatch No. 115, of the

3rd August last, signifying to me Sir Richard's appointment to be Secretary to this Government. I administered the Oaths to Sir Richard on the following Day, when He took possession of his office. I have &c.

(Signed) CHARLES HENRY SOMERSET.

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[Original.]

*Letter from LORD CHARLES SOMERSET to EARL BATHURST.*

CAPE OF GOOD HOPE, 27th November 1824.

MY LORD,—The impossibility of obtaining Quarters at Graham's Town for a large proportion of the Officers of the Cape Corps stationed on the Frontier, as well as the very inadequate, and uncomfortable nature of the accommodation the Officers of this Corps are under the necessity of occupying, has as will be perceived by the enclosed Copies of Reports, from the Officer Commanding the Engineer Department at that Station, (in reply to an enquiry which I directed to be instituted to ascertain whether, and to what extent, accommodation could be procured for hire) rendered it indispensable, in order to provide necessary cover to a greater part of the Officers, who were destitute of Shelter, to purchase the Premises of three Individuals, which though refused to be hired, were offered to the Government to purchase. The alternative, I proposed, in the first instance, consenting to, provided the parties would agree, to its being subject to your Lordship's ultimate approval, paying in the interval, either Rent for the Buildings occupied, or the Interest of the Sum demanded for the purchase. My proposition was however declined, but at the same time an Abatement on the original Sum required, on condition of prompt payment, was obtained. The whole amount of the purchase as concluded on this occasion, is Twenty Two Thousand Rixdollars, about One Thousand Six hundred Pounds Sterling, and that of the annual saving, which will accrue to the Public, by the accommodation the Premises afford, (as shewn in enclosure B) in Lodging, and stable Money Two thousand One hundred and Sixty Rixdollars nearly Ten

per Cent Interest upon the purchase, which taking the necessity of the case into consideration, renders the transaction upon the whole highly favorable to Government.

The proposal, as recommended by the Commanding Engineer in enclosure A, of erecting a suitable Barrack for Officers' Quarters at Graham's Town, I beg to recommend to your Lordship's consideration, the Head Quarters of the Military Force employed on the Frontier being permanently established at that place ; a Plan and Estimate of One Range of the proposed Barrack I have the Honor to subjoin ; the expence of the whole as detailed in the latter Document, will be Forty Four Thousand Five hundred and Eighty Rixdollars or about Three Thousand Two hundred Pounds Sterling, the half of which Sum on the completion of the Work, will (vide Report B) be fully covered by the Sale of the Premises, now purchased with that view, as well as for the accommodation which they in the meanwhile afford, and the further saving that would likewise accrue in the Officers' Lodging Money, would in a few years equal the remaining Cost.

Should the proposition which under these circumstances I feel it my duty to submit for consideration, meet with approval, I take the Liberty of soliciting that your Lordship will be pleased to take the necessary measures for my receiving the requisite authority, from the Lords Commissioners of His Majesty's Treasury, who will I presume communicate the same to the Board of Ordnance with a view to the execution of the work, and at the same time adverting to the concluding part of the commanding Engineer's Report B, in which he states the absolute necessity of Artificers being provided for this Service, owing to the scarcity, and exorbitant price of Workmen on the Frontier, I beg most strongly to urge, that a Detachment of Military Artificers, either of the Staff Corps, or Engineers, should be sent from England for the Military Service in this Colony. The Measure I am enabled from my experience, confidently to state, would not only be of great public Utility, but from which an incalculable saving would accrue, as well in the price of Labor, as in the better execution and permanency of the Work performed. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Enclosure 1 in the above.]

ROYAL ENGINEER'S OFFICE,  
GRAHAM'S TOWN, 28th September 1824.

SIR,—In reply to your letter of the 10th Instant I beg leave to state that it is quite impossible to procure accommodation for the Officers of the Cape Corps, either by hiring or purchasing premises in the neighbourhood, and it is my decided opinion that it will prove in every respect more advantageous to Government to erect a suitable barrack rather than buy, at an exorbitant price, a number of detached buildings, which, in general, are ill contrived and badly constructed.

I therefore have the honor to enclose a plan for the Officers' Quarters and an estimate of the probable expence to be incurred should this Service be approved. Observing that as the accommodation required will comprise two ranges of building similar to the one expressed in the plan, the total amount of the expenditure will be forty-four thousand five hundred and eighty Rixdollars.

But as a considerable time must elapse before this work can be completed, and on account of the great inconvenience at present experienced from the want of officers' quarters, it is deemed indispensable that some immediate provision should be made, the purchase of Dr. Clarke's and Captain Aitchison's premises is therefore recommended, in addition to the property lately obtained from Quarter Master Humphreys. Valuation of these premises, which are adjoining, are now transmitted, and little doubt can be entertained, but they may hereafter be disposed of to advantage should Government be inclined to sell them. I have &c.

(Signed) JAMES H. RUTHERFURD, Lieut. Royal Engineers.

P.S. Captain Aitchison has already submitted his property to the consideration of the Commandant of the Frontier, and Dr. Clarke will be satisfied to receive the amount which has been expended on the buildings, without regard to the value or the improvements of the rest of his property.

(Signed) J. H. R., Lt. R.E.

[Enclosure 2 in the above.]

*Estimate of the probable expence to be incurred in building Officers' Barracks for Cape Corps.*

The items are given, but need not be printed here. The total amount is Rds. 22,290. A plan of the barrack is given, showing a long range of sixteen rooms with a verandah extending the whole length, and two wings, each containing four kitchens.

The plan and specifications are signed

JAMES H. RUTHERFURD,

Lieut. Royal Engineers.

[Enclosure 3 in the above.]

ROYAL ENGINEERS OFFICE,  
CAPE TOWN, 17th November 1824.

SIR,—With reference to the Instructions received from His Excellency the Commander of the Forces, relative to providing Quarters for the Officers of the Cape Corps, I have the honor to state that since my Letter of the 25th September, on this subject, Mr. Lucas's House has been offered for Hire, and taken from the 28th ultimo at a rent of Fifty Rixdollars per Month. It will accommodate four Subalterns, and therefore a considerable saving results in lieu of the Officers' Lodging Money.

Mr. Humphreys' House which has been occupied for some time past, but for the purchase of which no authority has as yet been received by the Commandant on the Frontiers, may if necessary be appropriated to two Field Officers, and consequently affords ample accommodation for two Captains, having Stabling in proportion, the price is considered reasonable, and the purchase will prove a saving to Government, at Eight Thousand Rixdollars.

Captain Aitchison's and Dr. Clarke's House will each accommodate two Captains, the price of the former is Six Thousand, of the latter, which besides contains a Stable, Eight Thousand Rixdollars, and by this purchase a saving will likewise accrue to Government in lieu of Officers' Lodging Money.

The following calculation shows the total saving which Government will obtain by the hire and purchase of the

above mentioned Premises, and it is to be remarked that the computation is made under the most disadvantageous circumstances to the Public, two Captains being considered as occupying the greater part of the dwellings instead of four Subalterns for which they are equally adapted.

Annual Amount of Lodging Money for four Subaltern Officers	Rds.	864
Annual rent of Mr. Lucas's House		600
		<hr/>
Saving for Government per annum	Rds.	264
		<hr/>
Annual amount of Lodging Money for Six Captains	Rds.	1,584
Amount of Stable allowance for four Captains		576
		<hr/>
	Rds.	2,160
Interest of Rds. 22,000. The purchase Money of Mr. Humphrey's;		
Dr. Clarke's, and Captain Atkinson's Premises at 6 Per Cent		1,320
		<hr/>
Saving to Government per annum	Rds.	840

The total saving to Government therefore per annum is One Thousand One Hundred and four Pounds.

The purchase of these Premises besides is almost indispensable, as the greater part of the Officers are at present destitute of Shelter, and no accommodation can be procured for them.

The Expense is trifling considering the prices of Labour and Materials in the Frontier as the enclosed valuations prove; and I am assured that the property will likely bring an equal sum in the open market, should Government hereafter be disposed to sell.

The Erection of new Barracks is undoubtedly more desirable than the purchase of detached Buildings, yet under existing circumstances, the latter must immediately be provided for the Officers as the Engineer Department on the Frontier unfortunately is at present so small that it may be sent thither and a large number of Artificers without incurring any extraordinary expenditure.

I have now only to request that you will have the kindness to obtain His Excellency's sanction for the purchase of the property above enumerated, and that it may be transmitted to the Frontier as soon as may be possible.

(Signed) J

XIX.

Lieut. Rl. Engineers.

[Original.]

*Letter from MR. THOMAS WILLSON to EARL BATHURST.*

STOCKWELL, 27 November 1824.

MY LORD,—Pursuant to the enclosed Declaration I have been under the necessity this day of putting in special bail to defend the present Action ; and I have possessed my Solicitor (Mr. Faithful Croft, of Bedford Row, Red Lion Square) with all the documents and Correspondence which I have been able to preserve of evidence in this case ; amongst other things is a Letter from the plaintiff received by me at the Cape, wherein he admits that he (the plaintiff) has taken forcible possession of certain Mill-work, my property, and which cost me in London Seventy pounds Sterling, to cover his present claim of Deposit Money ! besides which this Man, and his brother, and their families, have been sustained at the location which I assigned to them in Albany, ever since June 1820 up to the present time.

It appears to me as the plaintiff was originally an Attorney's Clerk, that he meditates considerable clamour, and consequent eclat from the injuries which he is inflicting upon me personally ! and my Solicitor Mr. Croft having perused the official papers conceives it to be requisite for the Solicitor General to be applied to, to defend this action. I must therefore pray Your Lordship to address a Note to the Solicitor General that my Solicitor may call upon him forthwith ! and I am also to request that Your Lordship will have the goodness to furnish me with the original printed Circular of 1819 ! I have &c.

(Signed) THOS. WILLSON.

[Original.]

*Letter from LORD CHARLES SOMERSET to EARL BATHURST.*

CAPE OF GOOD HOPE, November 28th 1824.

MY LORD,—I have the honor to transmit to your Lordship a Letter I received from His Majesty's Commissioners of Inquiry, covering the Copy of a Reply to an Interrogatory

put by them to Lieutenant Colonel Bird, with my Explanation to those Gentlemen of the Circumstances therein contained and the Enclosures accompanying that Explanation.

I am induced to take the liberty of forwarding these Papers to Your Lordship, lest a misrepresentation of the Facts should be made to Your Lordship, and also to put Your Lordship in possession of the feeling by which Lieutenant Colonel Bird is actuated in any manner that attaches to me. I have &c.

(Signed) CHARLES HENRY SOMERSET.

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[Office Copy.]

*Letter from EARL BATHURST to LORD CHARLES SOMERSET.*

DOWNING STREET, LONDON, 29th November 1824.

MY LORD,—The King having taken into His consideration the necessity of laying down some definite Regulations by which the Governors or Officers administering the Government of His Colonies and Settlements abroad and the Officers in Command of His Military Forces in those Colonies and Settlements may the more clearly understand their relative duties and authority, I have received His Majesty's Commands to communicate to you, for the guidance of yourself and of your Successors in the Government of the Colony of the Cape of Good Hope, the following Instructions :

1st. Whenever it may seem fit to His Majesty to entrust the Civil Government of the Colony of the Cape of Good Hope to an Officer, holding a Commission in His Majesty's Land Forces, of the rank of Colonel or of any superior Rank and whenever in pursuance of His Majesty's standing Instructions the Civil Government may devolve upon any such Officer, he will consider himself as invested by virtue of that appointment with the Military Authority and Command over His Majesty's Forces within the Colony ; unless His Majesty should specially appoint some other Military Officer of higher rank, or of the same Rank, but bearing a Commission of earlier date, to take the Command of those Forces.



2ndly. But when His Majesty shall see fit to confide the Civil Government of the Colony to a person who does not hold any Commission in his Land Forces, or who holds a Commission of inferior Rank to that of a Colonel, and whenever in pursuance of His Majesty's standing Instructions the Civil Government may devolve upon any such person, the following Rules are to be observed for preventing any conflict of authority between such Civil Governor, and the Military Officer who may be appointed to the Command of His Majesty's Land Forces in the Colony.

3rdly. It will be the duty of any such Civil Governor, or person administering the Civil Government, to issue to the Officer, having the Command of His Majesty's Forces within the Colony, such orders respecting the marching of the Troops, or the distribution of them, or the making and marching Detachments and Escorts, or respecting any other Military Service as the safety or welfare of the Colony may render necessary. It will be the duty of the Officer in Command of His Majesty's Forces to carry all such orders into execution, and he will alone be responsible to His Majesty for the prompt and efficient performance of any such Service in all its details.

4thly. If however the Colony should be invaded or assailed by a Foreign Enemy, and become the scene of active Military operations, the power of the Civil Governor, or the person administering the Civil Government, to issue any such orders, will be suspended, and during any such emergency, the Officer in Command of His Majesty's Land Forces will upon his own responsibility, and without reference to the orders of the Civil Governor, or person administering the Civil Government, act in such manner as he may consider necessary for the defence and security of the Colony.

5thly. It will be the duty of the Governor, or person administering the Civil Government of the Colony as representing His Majesty, to give the word in all places within his Government, except only during the continuance of such Active Military operations as are noticed in the preceding Paragraph.

6thly. The Officer in Command of His Majesty's Land Forces will make to the Governor or Person administering the Civil Government of the Colony, Returns of the state and condition of the Troops under his Command, of the Military

Departments, and of the Stores, Magazines and Fortifications within the Colony.

7thly. The Officer in Command of His Majesty's Forces will consider himself as charged with the single and exclusive superintendence of all details connected with the Military Department, with the Regimental Duty and Discipline of the Troops, with the inspections and with summoning and holding Courts Martial Garrison or Regimental.

8thly. The sentences of Courts Martial will be carried into execution without the previous sanction of the Civil Governor or person administering the Civil Government, except only in cases where sentence of death may be pronounced, in which case execution of the sentence will be suspended, until the sentence shall have been approved, on His Majesty's behalf, by such Civil Governor or other person or persons administering the Civil Government.

9thly. The Officer in Command of His Majesty's Forces will render to the Civil Governor or person administering the Civil Government of the Colony, a duplicate of such Returns as he may from time to time make either to the Commander in Chief at home, or to any Military Officer, upon whose more general Command his own local Command may be dependent, so far as such returns relate to the detail of the Military Department, the Regimental duty, the discipline of the Troops, the Inspections or Courts Martial, General, Garrison or Regimental.

10thly. The preceding Instructions will form the Rules for your guidance upon this subject, in the performance of your duties as Civil Governor of His Majesty's Colony of the Cape of Good Hope. His Royal Highness the Commander in Chief will issue as occasion may require corresponding Instructions for their guidance to the Military Officers in Command of His Majesty's Forces within your Government. I have &c.

(Signed) BATHURST.

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[Copy.]

*Letter from the SECRETARY TO GOVERNMENT to the REVEREND  
WILLIAM GEARY.*

COLONIAL OFFICE, 29th November 1824.

SIR,—In reply to your Memorial addressed to His Excellency the Governor and transmitted in your Letter to the Acting Colonial Secretary of the 2nd Instant, and also to your subsequent letters of the 25th and 26th of this Month addressed to the Governor, I am directed to inform you that His Excellency has received no Instructions from Earl Bathurst to authorise the issue of any Sum to defray the expence of your return to England; nor does he conceive himself warranted, without Authority from Home, to refund to you the Expences you state to have incurred in the Improvement of the House and Grounds allotted for the Chaplain's residence in Graham's Town.

His Excellency however will have no objection to order a regular official valuation to be made of those improvements, and forward the same when completed for Earl Bathurst's information, together with the Enclosures transmitted by you.

I have &amp;c.

(Signed) RICHARD PLASKET.

[Copy.]

*Letter from the Fiscal to the Secretary to Government.*

FISCAL'S OFFICE, 29 November 1824.

SIR,—In compliance with His Excellency the Governor's directions communicated to me in the Acting Secretary's letter of the 13th Inst., wherein my opinion has been required on the following questions :

1st. Whether the Certificate presented by Mr. Carel Liesching in support of his Application to be admitted to practise in this Colony as an Apothecary, Chemist and Druggist, is such as has been usually required in this Colony upon the admission of Persons to practise in the foregoing three capacities.

2nd. Whether by the Certificates mentioned in the 2nd Article of the Proclamation of September 1823 are meant such as are usually required in this Colony or such as are usually required in the different Countries of Europe.

3rd. Whether there exists any other Law antecedent to the Proclamation of the 26th September 1823, and not at variance with that Enactment or with the provisions of the Proclamation of 1807 that regulates more precisely the qualifications of Persons allowed to practise as Apothecaries &c. in this Colony.

I have the honor for the information of His Excellency to say :

1st. In answer to the first question, that I am under correction of opinion, the certificate produced by Mr. Carel Liesching as being from a Medicine Doctor and Licensed Apothecary in this Colony, is such as has been usually required in this Colony for the Admission of persons to practise as *Apothecaries, Chemists and Druggists*, Mr. Tredgold having been admitted on a similar certificate, although others did produce to me Certificates of examination to which they have been subjected by constituted Medical or Chirurgical Colleges, or of their having attended Lectures in the art of Chemistry and other arts therewith connected, and moreover served out their time of Apprenticeship in the employ of Apothecaries.

2nd. To the second question, that according to the common Rules of interpretation the term or phrase *such Certificate as is usual for these arts* has only reference to the nature and description of the Certificate, not to the place where the same is granted, and may therefore equally be applied to this Colony and to other Countries, the more so, as in the same article, the arts of Surgeons and Apothecaries have been excepted from those professions which require a regular Diploma from a University or College in Europe.

3rd. To the third question, that I have vainly endeavoured to find any other Law antecedent to the Proclamation of the 26th September 1823, and not at variance with that Enactment or with the Provisions of the Proclamation of 18th August 1807, that regulates more precisely the qualifications of persons allowed to practise in this Colony. I have &c.

(Signed) D. DENYSSEN.

[Original.]

*Letter from LORD CHARLES SOMERSET to*  
*R. W. HORTON, ESQRE.*

CAPE OF GOOD HOPE, 30 November 1824.

SIR,—Having referred to the President and Members of the Orphan Chamber your letter of the 15th June 1823, covering one from the Lord Chief Baron of Scotland making enquiry respecting a person of the name of Bertram alias Bartram, I have now the honor of enclosing a Copy of the reply received from the Board, by which you will perceive that the Individual respecting whom information was solicited is still in Mr. Gosling's Service, and is employed by that gentleman in the capacity of an overseer. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Copy.]

*Abstract Statement of the total Amount of the Funds of the Lombard Bank ; exhibiting the Periods at which they have successively been received, cancelled or refunded, from its first establishment in the Year 1793 to ultimo November 1824.*

DATE.		AMOUNT.	
		Rds.	Stiv.
1793 ;			
April.	19.	20,000	-
-	23.	20,000	-
-	25.	20,000	-
-	27.	20,000	-
-	30.	20,000	-
May.	2.	20,000	-
-	3.	50,000	-
-	11.	50,000	-
-	16.	40,000	-
June	6.	30,000	-
-	10.	4,000	-
-	24.	60,000	-
July.	2.	46,000	-
-	16.	30,000	-
Carried forward		430,000	-

*Abstract Statement—continued.*

DATE.		AMOUNT.	
		Rds.	Stiv.
1793:			
Brought forward	.	430,000	-
August . 20.	.	20,000	-
September 24.	.	25,000	-
October . 16.	.	25,000	-
November 25.	.	25,000	-
		525,000	-
1794:			
January . 15	.	25,000	-
February 12.	.	25,000	-
March . 25.	.	25,000	-
April . 25.	.	10,000	-
May . . 7.	.	20,000	-
- . . 17.	.	20,000	-
December 15.	.	30,000	-
		Rds.	680,000 -
REPAID TO GOVERNMENT:			
1795:			
June . 24.	.	Rds. 15,244	36
July . . 1.	.	5,000	-
1796:			
August . 8.	To the Secretary Ross by order of General Craig	14,500	-
		34,744	36
		Remained . .	Rds. 645,255 12
1802:			
February . 9	Received from Government . .	185,000	-
		Rds.	810,255 12
1810:			
June . . 26.	Received from Government . .	500,000	-
		Total amount of the Long Loans	Rds. 1,310,255 12
1808:			
June . . 13.	Received on account of the Short Loan Funds . .	150,000	-
October . 3.	. . Ditto . ditto . .	25,000	-
		Rds.	175,000 -
1812:			
December 31.	Repaid to Government . .	100,000	-
		Total amount of the Short Loans .	Rds. 75,000 -

*Abstract Statement—continued.*

DATE.		AMOUNT.	
		<i>Rds.</i>	<i>Stiv.</i>
1812:			
January .	23. Received from Government for carrying on Public Works . . . . .	<i>Rds.</i>	100,000 -
November	9. . . Ditto . . . ditto . . .		100,000 -
1813:			
February	3. . . Ditto . . . ditto . . .		100,000 -
September	6. . . Ditto . . . ditto . . .		100,000 -
1814:			
May . .	4. . . Ditto . . . ditto . . .		100,000 -
		<i>Rds.</i>	500,000 -
	Destroyed on 4th March 1814 . . .		15,000 -
	TOTAL of the <i>Rds.</i> 500,000 Fund	<i>Rds.</i>	485,000 -
1822:			
June . .	22. Received for the Relief of the Agriculturists . . . . .	<i>Rds.</i>	200,000 -

## RECAPITULATION of existing Capitals in the Lombard Bank.

Amount of the Long Loans . . . . .	<i>Rds.</i>	1,310,255 12
Ditto Short Loans . . . . .		75,000 -
Ditto <i>Rds.</i> 500,000 Funds . . . . .		485,000 -
Ditto Funds for the Relief of the Agriculturists . . . . .		200,000 -
TOTAL . . . . .	<i>Rds.</i>	2,070,255 12

Lombard Bank, Cape of Good Hope, 30th November 1824.

(Signed) H. GROCUS, Book-keeper, Lombard Bank.

[Copy.]

*Letter from the* REVEREND MESSRS. BERRANGE AND BORCHERDS  
to LORD CHARLES SOMERSET.

(UNDATED.)

MY LORD,—The Synod assembled at this place under your Lordship's approbation has done us the honor to commit to us the transmitting of the hereunto annexed documents which

they beg respectfully to submit for your Lordship's consideration and sanction containing partly the general regulations and particularly the plan suggested by the Ministers of the Colonial Reformed Church for a fund for the support of the Ministers' widows. The Synod also respectfully request that in as far as it is possible no Political Commissioners may be appointed but such who are members of the Reformed, at least of the Protestant Church, and that their power may be clearly defined by their instructions.

They further request that all religious meetings may bear the name of the sect to which they belong, and that none may be suffered to be formed within the Colony without the permission of Government.

And that whereas the profanation of the Sabbath is from time to time manifestly increasing, that it may please Your Excellency to forbid all unnecessary dealings by purchase and sales, all tumultuous noises on the public roads and streets, playing and gambling, the opening of Taphouses, on the days set apart for divine worship, by ordering the same to be closed throughout the Colony during the entire Sunday, and farther to prevent whatsoever may tend to unhallow the Lord's Day.

They take the liberty on this occasion to observe that their request to establish a "*Seminarium cum annexis*" has already been sent in on the 21st ult. by a separate Letter of their 13 Sitting dated the 17th ult.

They also solicit your Excellency that the *Acta Synodi* may as far as the same ought to be published be printed at the Government printing office ; and in particular that the translation of the *Heidelbergsche catechism* be printed in order to be used in the English Schools for the Children belonging to the Reformed Church. That also the existing Church Orders may be reprinted, these no longer being obtainable, and that also may be put to the press to be distributed the general Church Ordinances of the National Synod Dordrecht of the year 1619 for the Netherland Church, which is a Fundamental Document of all the Regulations of our Church to which we are all bound to conform.

And whereas the Synod having felt itself compelled, on account of the abuse made of it, to establish some limitations respecting the time of taking up and delivering church certi-



ificates, have resolved that they shall be produced before the expiration of six months, and that when having passed that period the holder thereof shall pay a fine of one Rixdollar for the benefit of the Synod fund ; and they shall at the longest period be receivable only within one year and six months ; wherefore the civil authorities will be requested not to grant any Burgher Certificate to anyone without previous application being made to the Vestry or the Minister for a Church Certificate, of which proof must be produced from the Vestry, or a written proof that such a one is not a member of the Church. Your Lordship is therefore solicited to take the subject into consideration, and in order that it may take effect to grant to it your sanction.

Finally a Resolution having passed as to the manner of raising and administering the Synod Fund for defraying Expences, for as far as they have already been approved by your Excellency, dated 19th November, whereby the following articles have been determined :—

1. That the levying shall commence on the 1st January 1825.

2nd. That the Treasurer Deacon of each congregation shall be commissioned with the receipt thereof, of which he shall keep a separate account and keep the amount with the money belonging to the Church, but distinct from the Church.

3rd. At the District Meetings (Ring Vergaderings) the amount of the receipt thereof shall be reported.

4th. At the requisition of the Clerk of the Synod the said proceeds shall be remitted to him, for which he is to give a receipt.

5th. The District Meetings shall deliver to the Synod accounts of their necessary expenditures together with the balance of the receipts, subject to the approbation of the Synod, on which we also solicit Your Excellency's sanction.

We have &c.

(Signed) J. C. BERRANGE, V.D.M.  
M. BORCHERDS, V.D.M., Secy.

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[Copy.]

*General Regulations for the Direction of the Dutch Reformed Church in South Africa, suggested in the General Assembly in Cape Town, on the 2nd November and following days of the year 1824.*

*Part the First.—General Regulations.*

Art. 1. The direction of the Reformed Church is executed by Congregations, Districts,\* and by Synod.

Art. 2. The Members of the Boards on which these several administrations will devolve according to the hereafter mentioned Regulation, are to vote individually.

Art. 3. The inferior administrations have the right to send in proposals to the Superior or when required to ask their advice, while on the other hand they are obliged to conform to the directions they receive from the superior administrations.

Art. 4. An inferior Church administration feeling itself aggrieved by the decisions of a superior one, has the right to complain to one still superior, but in the meantime is bound to comply with the instructions received, unless the case be of a nature that an ultimate decision thereon could not restore the matter to its original state.

Art. 5. All matters decided upon by an Ecclesiastical Board are appealable to the Board next in rank, but being decided upon in the second instance cannot be appealed from.

Art. 6. Matters which according to the foregoing article have been brought in appeal, the cognizance thereof shall be by gradation, and no question shall be brought before the general church assembly which ought in the first instance to have been concluded in the District Meetings, unless no district meeting should have taken place during the interval, and that the nature of the subject is such as to require a speedy decision; saving however the competency of the general Assembly, altho' no appeal has been lodged, to take cogni-

\* There are three Districts (Ringen), the first comprising the Churches of Cape Town, Stellenbosch, Paarl, Zwartland, and Somerset; the second those of Tulbagh, Swellendam, Caledon, George, and Worcester; the third those of Graaff-Reinet, Uitenhage, Cradock, and Beaufort.

zance of matters belonging to the general interests of the Church, subject to their competency.

Art. 7. It must be the principal aim of all those who in various relations are connected with the Church administration to watch over the interests of Christianity in general, and for those of the Reformed Church in particular, to maintain its doctrine, to promote Christian Virtues, the preservation of order and unanimity, and to promote submission to the higher authorities and the Laws.

Art. 8. All Church Administrations are to conform to the Regulations and all general and special Instructions already existing or hereafter to be legally established.

*Part the Second.—Respecting the General Church Assembly in particular.*

Art. 9. The supreme direction of the Reformed Church in this Colony respecting matters concerning the Church is vested in the General Assembly.\*

Art. 10. The General Assembly is charged with the general interest of the Reformed Church in this Colony, and with respect to this in particular with the care of all that concerns the public worship and the Church Regulations.

Art. 11. The General Assembly when unable to decide (in last resort) on matters brought before it, in cases of appeal, by the inferior administrations, has recourse to the here existing Government.

Art. 12. The General Assembly forms Church Regulations and Ordinances and submits the same to the Government for sanction.

Art. 13. The General Assembly make in particular regulations respecting the examination of, and the mode of admitting those who are intended to instruct † in order to be perfectly satisfied of their knowledge, orthodoxy, and ability.

\* Nothing however herein contained shall be construed to supersede the chief superintendence of all ecclesiastical administrations being vested in the Governor for the time being according to the 38th Art. of the Regulations of Commissary De Mist.

† That the following words be inserted after the word "instruct," viz. "in the tenets of the Dutch Reformed Church."

Art. 14. The General Assembly takes care of the arrangements and makes ordinances for promoting, regulating and improving Religious instruction.

Art. 15. The General Assembly frames rules for Church visitations or leaves this to be done by the district directions subject to its approbation.

Art. 16. The General Assembly prepares a plan for regulations for the manner of conducting Church business, Churchwise, by the Vestries' and Districts' Directions, or for Church Government and Church discipline, taking care by correct limitations and regulations to avoid all that might lead to uncertainty and discretionary conclusions.

Art. 17. In like manner the General Assembly shall form regulations for the local vestries such as shall be most advantageous to the cause of Religion and the interests of their congregations.

Art. 18. General and practical arrangements will be made for the appointment of Funds intended to defray the expenses of the Synod,\* and the most effectual means will be adopted to render the same least burdensome to the congregation and others interested, and so as to bear equally.

Art. 19. All the above mentioned regulations after having been determined upon by the general assembly shall be submitted to the approbation of Government agreeable to the 48th Article of the Regulations now in force.

*Part the Third.—Respecting the Church Administration of the congregation.*

Art. 20. There shall be a distinct Vestry in every congregation consisting of the Minister or Ministers of the place, and of Elders and Deacons chosen from among the most religious, ablest, and principal members of the congregation, whose duties and relations will be regulated by Instructions from the general assembly for the Vestries, corresponding with the 24th Art. of the now existing Church Regulations of the Year 1804.

Art. 21. Ministers of the Reformed Church for this Colony

\* That the following words be inserted after the word Synod, viz. "under the authority of Government."

shall on their arrival legitimate themselves with the præses of the 1st District of the principal Church, and the præses shall forthwith report the same to His Excellency the Governor. In like manner previous to their being proposed to the congregation, they shall produce their "Testimonia" and certificate to the Præses of the District to which the congregation belongs.

Art. 22. It belongs to the Vestry to take care of whatever relates to the public worship, the Religious instruction, and the superintendence over the members of the congregation.

Art. 23. If censure on the Members of the Church be for good reasons, and according to the provisions of the regulation of Church Government and discipline, required, the same shall take place in the first instance by the Vestry, and proceeded in if necessary by the district direction, and if further required by the general assembly, and if censure be required on the Vestry, members, teachers and subordinates, this shall be done in the first instance by the District direction, and further by the general assembly, while to the latter alone belongs the censure on Ministers.

Art. 24. The deacons have the care of the poor of the congregation, and whatsoever may thereunto relate according to the established customs of the place.

Art. 25. No Minister shall preach in the parish of another, without the concurrence and consent of such Minister, or in case of his being absent, with the consent of the Vestry; and the money collected on such an occasion shall be paid by him to the Church fund of such parish.

Art. 26. The Christening of Children or adults,\* or the confirmation of members belonging to another congregation shall not take place without the written consent of the Minister of such congregation.

Art. 27. In vacant congregations the foregoing shall not be allowed without the Vestry of such congregation being first made acquainted with it, and to whom it must be reported after having been done.

Art. 28. In case of unusual absence a Minister shall provide that his duty be performed to the satisfaction of the district direction.

\* That these words, viz: "The Christening of Children or adults" be omitted.

*Part the Fourth.—Respecting Religious instruction. First sub-division : respecting Religious instruction in general.*

Art. 29. By religious instruction is understood the instruction of beginners, and of those who have already made some progress in the history of the Bible and the doctrines of Faith and morality, and particularly of those who are desirous of becoming Members of the Reformed Church, which instruction will be given by the ministers and under their superintendence by other qualified persons. This instruction should be given by classes according to the different capacities of the pupil and of those who have obtained a greater degree of proficiency. This instruction should be in public, as well as private, and it is particularly enjoined to the Ministers to use the utmost zeal for extending the knowledge of the Bible History and of the Belief, both which must be attended to at the examination of those intended to be confirmed ; it is also strongly enjoined to impart to pupils, according to their capacities, some knowledge of the Church History.

Art. 30. For the purpose of these instructions no other books shall be used but such as have emanated from the Reformed Church or have been approved by it.

*Second sub-division : respecting Religious teachers and of their qualifications.*

Art. 31. Religious Instruction being one of the principal duties of the Ministers, these are bound to use the utmost diligence to add to their congregations able and worthy members, and every endeavour should be made that either by the Ministers themselves or by Teachers under their direction the necessary instruction be given at the proper periods and according to the circumstances and age of every Individual both in the Dutch and English languages. The Heidelberg catechism and the Kort Begrip shall be considered as the Fundamental Books of Instruction, and it shall remain for the consideration of the Ministers to allow the use of such other Books by the Teachers under them as they shall consider best suited to promote the desired instruction in the Reformed

Religion, and which if required shall be approved by the general assembly.

Art. 32. It shall be the duty of every Church Assembly to form (without delay) the several necessary regulations respecting what are called meetings,\* and also the sphere and proceedings of the Missionaries.

Art. 33. Among the Qualifications required in the Teachers is that they must be members of the Reformed Church and to have been as such in the congregation for at least two years, that their conduct must be unquestioned and exemplary and they must have expressly devoted at least two years to preparing themselves for giving Religious instruction under the guidance and direction of some of the Ministers in their congregations. No one being more than 30 years of age shall be permitted to become a Candidate.†

Art. 34. Such Teachers shall be subject to a regular examination by a thereto appointed Ecclesiastical Board of the Church to which they belong, from Sacred History, the contents of the Bible, the Christian belief and morality, and in particular the History of Christianity; it shall be inquired into whether they have the gift of teaching (by examining them in the presence of the Minister or Ministers and if necessary of the Elders of the congregation) with respect to children and persons more advanced in age, to judge of their qualifications in that particular.

Art. 35. No one shall, even after having been examined and approved, be allowed to teach without having first signed the following declaration.

“We the undersigned having been examined by the Church direction of . . . . . and permitted to give Religious Instruction, declare with a free conscience earnestly to embrace the doctrine which is conformable to God’s Holy Word as com-

\* 1st. That the following words be inserted after the word “Meetings,”  
“subject always to the Regulations contained in the 5th Article of the Instructions of Commissary De Mist.”

2nd. That these words be omitted, viz. “The sphere and proceedings of the Missionaries.”

3rd. That the following words be added to the article, viz. “Such meetings to be duly notified to the local authority.”

† That these words be omitted, viz. “No one being more than 30 years of age shall be permitted to become a candidate.”

prised in the forms of Unity of the Netherland Reformed Church, promising faithfully to teach the same, and strictly to conduct ourselves according to Regulations established for the giving of Religious Instruction, submitting ourselves to the judgment of the vestry should we act to the contrary thereof."

And after having signed this declaration to have an act of admission to the following effect :

"The Vestry of ——— having examined N. N. born at ——— age ——— residing at ——— declares him to be competent to aspire to the situation of Religious Teacher and after having been chosen for the same, by a vestry of a congregation, sanctioned to give religious instruction in that congregation, according to the Regulations respecting the same."

Art. 36. This act of admission shall be respected by every other Church direction where it shall be produced and render the holder eligible within its limits provided no reason to the contrary exist.

Art. 37. The number of such Teachers in each congregation shall be determined by those to whom it belongs to superintend the Religious Instruction according to the want of the congregation, and according to the best of their judgment ; as in general it is left to them to regulate the same *pro re nata*.

Art. 38. In places where Religious Instruction according to the tenets of the Dutch Reformed Church is given, viz. in Prisons or other Establishments, this instruction shall not be entrusted to any one not belonging to the Reformed Church, and such Teachers shall in like manner be required to produce a legal Church Certificate of their Qualifications and be subject to proper regulations corresponding with what has been above expressed with respect to others.\*

*Third Sub-division : respecting the Superintendence of the Religious Instruction.*

Art. 39. It must be one of the principal objects of the Ministers on all proper occasions, in their Spheres, and especially in their district Meetings, to make Religious Instruction the subject of their consideration ; to communicate with each other, and to consult on the best mode to promote it.

\* That the whole of this the 38th art. be omitted.



Art. 40. When there are persons who may be desirous to qualify themselves to become Teachers, the Ministers of the Gospel should give them every necessary assistance and encouragement.

Art. 41. The instruction to be given to the subordinate teachers must be under the direction and superintendence of the Minister. With regard to Missionaries professing the Reformed Religion intending to give instruction therein within the Colony, the 13th Article of the existing Church Ordinance is to be acted upon, and if such teacher exclusively devotes his time to the instruction of heathen the church wardens within whose district they labour, shall be bound to afford them every assistance and support, and to encourage as much as in their power the members, to contribute to the same object.

Art. 42. The examination of those intended to be received as Members belongs exclusively to the Ministers attended by one or more of the Elders.

Art. 43. The admission and confirmation of Members should, where it is practicable, for utility's sake be done in public. This receiving shall be done in the following manner :

The Minister or one of the Ministers shall in the presence of the congregation ask the Received the following questions :

1st. Whether they sincerely believe the doctrines they have confessed ?

2nd. Whether they have resolved with the grace of God to abide in that faith, to renounce their sins and to lead a Godly life ?

3rd. Whether they submit themselves to the Government of the Church, and in case they should err, to its discipline ?

After which the confirmation shall take place with an appropriate discourse.

*Part the Fifth.—Respecting A. Regulations for the execution of the Church Government and discipline.*

*First sub-division : General Regulations.*

Art. 44. As there are three descriptions of Church administration, Vestry, district direction, and General Church Assembly or Synod, so in like manner must all Church matters be conducted according to their different descriptions.

Art. 45. Besides that it should be the principal object of these several administrations to defend Religion and especially the Reformed Doctrine and the purity of morals enjoined thereby, they take cognizance of such acts and conduct as are contrary to Church Laws and Ordinances.

Art. 46. In the proceedings of Church matters there are only two hearings permitted.

1st. Matters concerning the Members of the congregation, these in the first instance come before the Vestry, and in appeal before the District direction.

2. Matters concerning Elders and Deacons where they are liable to censure, or have dismissal for object, these in the first instance come before the district direction and in appeal before the general assembly.

3. Matters concerning Ministers where they have for object censure or suspension\* come before the general Church assembly and where they lead to dismissal then the several documents relating to it are laid by the General Assembly before the Government.

4. Matters concerning the district direction and its members, as such, come in the first instance before the General Assembly and in appeal before Government.

Art. 47. In the investigation of, and decisions or complaints respecting misconduct, regard must be had to Christian Charity, as well as to the due maintenance of the honor of Christianity, and in particular, minute attention should be given to those whose conduct and doctrine have an immediate influence on the congregation.

Art. 48. And as church matters, in consideration of the existing Church Laws and Ordinances, can only be treated church-wise, so shall the Church Assemblies on the other hand not arrogate to themselves any influence as to what belongs to the civil or judicial administration.

Art. 49. The Church Assembly shall in cases of dispute brought to their cognizance use every endeavour to settle them amicably, and reconcile opposite parties.

Art. 50. Each Member of the congregation has a right to complain, and each member of a Church Assembly or Vestry

\* ~~and~~ these words, viz. "or suspension" be omitted after the word and inserted therein after the word "dismissal."

is obliged to inform in cases of grievances that are to be adjusted by that assembly.\*

Art. 51. Any one desirous of bringing his case before a Church Assembly shall proceed therein according to the Church Laws in this Regulation as in like manner all Church Assemblies are obliged to conform to the same.

Art. 52. Before the Vestry matters may be conducted *verbally*, but, before district directions and the General Church Assemblies this must be done in writing, but these are at liberty to act according to circumstances when such require any particular treatment.

Art. 53. No practitioner nor lawyer shall be admitted as legally concerned in a case before a Church Assembly, nor shall any documents be received by the Assembly that are signed by them *as such*, every one whether conducting his case verbally or in writing, shall do so or sign the documents presented by him himself and only in cases where a person cannot write or sign his name, leave may be asked to employ an Agent, but then still not to employ a practitioner for that purpose, and such who find themselves entirely incompetent to defend their own cause may ask leave to be assisted by another member of the congregation, that member not being a practitioner.

Art. 54. Commissions into whose hands a case is put, shall in their report give a clear and detailed account of the case itself, and of the vouchers or proof adduced, without however their being allowed to give their opinion thereon, or to add it to the report.

Art. 55. For the purpose of serving "intimations" the sexton or other subordinate of the Church Assembly shall be employed as Messenger, and these not executing the charge so given to them shall be answerable for the damage, injury, or costs thereby occasioned besides being reprimanded or suspended, even dismissed, in case of misconduct, such as indiscretion or dishonesty.

Art. 56. Anyone making verbal or written representation shall abstain from using any offensive expressions, odious reflections or improper words, but pay to the Church Assembly the respect due to it.

\* That the whole of this article (the 50th) be omitted.

Art. 57. In the Church Assemblies all matters are to be decided upon by the members present by majority of votes, but in cases of complaint or dispute no decision shall be given without at least  $\frac{2}{3}$  of the Members being present.

Art. 58. When in such matters the votes are equal the case where it can be conveniently done must lie over for the next meeting, and should then the same happen again a supernumerary member shall be called in from among the "Secundi" or replacers, according to rank or seniority of service, and in as far as relates to members of the Vestry who have no "secundi" to call in one of the most notable of the members of the congregation by a decided majority of votes in the Assembly, and in case the majority in the assembly is of opinion that the case cannot be conveniently delayed then shall the last mentioned expedient be resorted to immediately.

Art. 59. The decisions of the meeting must briefly contain the motive and the article of the laws and regulations upon which they rest.

Art. 60. It shall also be in cases of a particular nature and for urgent reasons that the assembly shall be allowed to grant delay beyond the usual terms fixed by these present regulations.

Art. 61. Members of the Church Assemblies are not to judge in matters wherein they themselves or such others related to them within the first four degrees of consanguinity or affinity are concerned, nor in matters in which they are either the Complainants or Witnesses or in which they had before already decided; and when in consequence of such incapacity the members of a district or Church Assembly should be reduced to less than two thirds, then shall, by majority of votes, be called in an equal number of members of corresponding rank from the nearest Church Assembly as that which shall be thus disqualified, to complete such assembly.

Art. 62. The Members of the Vestry have the right to put the following question to Witnesses who appear before them, on matters concerning the Church, and to require them to answer the same :

"Do you promise, as in the presence of the Holy God, that you will without equivocation speak the truth whether in the declarations you shall make or in the answers you shall give?"

Art. 63. When a Witness who has been summoned does not

appear, or is not disposed to give proper evidence, in that case the Church Assembly, or the parties concerned shall be at liberty to summon such an unwilling witness before the civil power and afterwards to produce the evidence there given by him.\*

Art. 64. Any one summoned to appear before a Church Assembly, must attend in person unless lawfully prevented.

Art. 65. Any one being summoned on account of a complaint, a written notice shall be given, and if after having been twice summoned, at an interval of at least four weeks between the two summonses, he does not show a lawful cause for his not appearing, his defence shall not be waited for, but the case be decided upon according to circumstances. This article shall not however be applicable to such particular cases, respecting which has been otherwise directed or wherein written proceedings have been prescribed.


Art. 66. Those who by the decision of an Assembly have been condemned or judged to be in the wrong shall pay all costs, unless the assembly sees cause, and directs, for each party to pay his own costs. This regulation is also applicable to such as shall be considered to have brought ill founded charges against another.

Art. 67. Those who are necessitous shall not be charged for copies nor Messengers' charges.

Art. 68. Every Member of the Assembly is at liberty to have it put on record in case he has not assented to any particular decision without assigning the cause thereof ; with the right however in case he wishes to do so, to deliver his reasons in writing signed by him to the Assembly.

Art. 69. An inferior Assembly is bound to transmit on being required to do so to one superior all the documents relative to a case on which it has decided in the first instance, together if necessary with a minute containing the further particulars of the reasons for such decision, all this notwithstanding further stipulations, which may hereafter in other instances be provided for in these regulations.

\* The whole of this Art. (the 63rd) to be omitted.



*Second Sub-division : Instructions for the Vestries.*

*Chapter the First : Respecting the manner of executing the Church Government and discipline.*

Art. 70. All the Members of the congregation are subject to censure before the Vestry in case of scandal, either in doctrine or conduct except Ministers and Members of the Vestry.

Art. 71. Ordinary censure consists in being denied the partaking of the holy Sacrament of the Lord's Supper either one or more times indefinitely ; together with the consequence thereunto attached, according to the Laws and customs of the Church. This censure however is not to be carried into effect except in cases of heinous offence, and till after repeated and unsuccessful remonstrances and friendly admonitions, however in case the offender should be receiving alimention, the question of diminishing this must be conducted with moderation.

Art. 72. The Vestry must remove the censure when the censured applies for the same and furnishes proof of amendment.

Art. 73. Any Member of the Congregation who intends to avail himself of the right to bring charges against another member respecting public scandal, he shall do so before the Vestry, who having examined it and seeing cause for doing so, shall appoint a Commission of Enquiry to examine the accused, which Commission shall verbally report thereon to the Vestry. Similar Commissions shall be appointed in case any member of the Vestry should prefer such charge.

Art. 74. Should the Vestry on having received the report of the Commission find it necessary further to interfere, they shall summon the accused and interrogate him, and should it appear by his confession that the charges are well founded, then the Vestry shall according to circumstances admonish, reprimand, or, in case of great offence, censure him.

Art. 75. A Member admitting the truth of the charges brought against him, and expressing his regret together with a promise of amendment, then the Vestry shall not exceed a friendly admonition either before the Vestry itself or in presence

of a Committee of one or two members thereto appointed, unless in case of some great and public scandal or repeated offence some public mark of disapprobation be required in support of the honor of Christianity, when in such case they can proceed even to excommunication.

Art. 76. When a member of the congregation being examined by, or on behalf of the Vestry, respecting charges brought against him should deny the same, then those charges together with the proofs produced in support of them shall within fourteen days be furnished to him.

Art. 77. In the case above mentioned at least four weeks must be allowed to the accused to prepare his defence, and to produce the proofs he may require for that purpose, before he again appears before the Vestry.

Art. 78. When after this defence has been made the guilt or innocence of the accused shall appear, the Vestry shall forthwith proceed to decide thereon.

Art. 79. The decision of the Vestry shall be in writing and entered on the records of the Vestry, it shall be explained to the party concerned and, if he requires it, a copy shall be furnished to him.

Art. 80. When the Vestry after having received the defence of the accused consider it necessary still further to enquire and in particular to hear further evidence or to confront the accuser, accused, and Witnesses, this must be done without delay and a more particular report of the Committee may also be required.

Art. 81. The Vestry shall as much as possible endeavour to expedite matters that are before them, and to this the district directions must pay attention.

Art. 82. Should any one be found to have accused a member of the congregation unjustly on mere trifles, maliciously, or through party spirit, such a one shall according to circumstances be reprimanded or even submitted to censure.

*Second Chapter.—Respecting the treatment of differences in the Church.*

Art. 83. The Vestry decides in the first instance upon differences between members of the congregation occasioned by Church votes, accounts, and other such matters relative to the Church.

Art. 84. In these cases the Vestry receive no complaints unless regularly made at the time of making and of noting accounts, and if the parties ask to have them noted down.

Art. 85. Any one not prosecuting what was thus noted down, within fourteen days from its having taken place, shall be considered as having desisted, and he shall be allowed no appeal afterwards to any Church Assembly whatever.

Art. 86. In order to render his complaint valid, he shall be obliged within the said fourteen days to address himself to the Præsis of the Vestry, to request that he and his opponent may be heard.

Art. 87. The Præsis shall as speedily as possible on having received such an application, summon a Vestry, and cause the parties interested to be notified, at least 14 days previously, to appear before them.

Art. 88. The Parties having appeared before the Vestry, the best endeavours are to be used in order to reconcile them, if this be unsuccessful it shall be entered on the records of the Vestry, unless both parties agree in considering such an Entry unnecessary, and copy thereof shall be given to the parties if required.

Art. 89. The difference not being amicably settled, then the particulars of the difference must be entered into the Books, and the Vestries shall direct the Parties at the expiration of 14 days to appear again before them, at such time and place as shall be appointed provided with the necessary documents and witnesses, after which the Vestry having heard the parties, examined the witnesses, and examined the documents, shall within fourteen days after decide as they shall judge right.

Art. 90. When the Vestry itself either the whole or more than a fourth of the members are interested in the subject of such difference, then the question shall in the first instance be referred by the district direction to a neighbouring Vestry.



*Third Sub-division : respecting Regulations for the district direction as well by appeal as in the first instance.*

*First Chapter, by Appeal.*

Art. 91. A Member of the congregation having been reprimanded by the Vestry or censured, and feeling himself aggrieved, may appeal to the district direction to which such Vestry belongs.

Art. 92. For that purpose he shall give notice to the Præsis within 14 days by memorial in which the day must be specified when the appeal comes on, requesting Copy of the decision if he has not already received it.

Art. 93. After this notice he shall prosecute his appeal before the district direction at their first meeting, by neglect of which he shall forfeit his right to it.

Art. 94. He shall for that purpose present a Memorial to the Præsis of the District Direction containing the ground on which he feels himself aggrieved, and state whatsoever he considers necessary in support of his case, adding to it the Copy of the decision, also the proofs, as far as they are in his possession, and that he may wish to make use of them.

Art. 95. The Præsis having received said Memorial shall put the same into the hands of the Vestry to report thereon without unnecessary delay, adding to it all the documents relating to the case.

Art. 96. The said Report and documents shall forthwith be sent round by the Præsis to the several Members of the district direction in order that they may qualify themselves to enter upon the subject at their first meeting and to decide thereon either to confirm or reverse the disposition of the Vestry.

Art. 97. In case the district direction should on some essential points require further elucidation, they shall call for the same, either from the Vestry, the appellant, or from the original in the former, to be furnished within a given time.

Art. 98. In like manner any one feeling himself aggrieved by a decision of the Vestry, in a case that in first instance has been before them, shall be allowed to appeal to the District direction.

Art. 99. He shall within 14 days as directed by the 92nd

Article, give notice, and apply to the præsis of the Vestry, and then by insinuation by the Church Messenger intimate his intention to the person to whom he has been opposed before the Vestry ; and farther shall be observed what is directed by the 93rd and 95th Articles.

Art. 100. The Præsis shall put the said Memorial into the hands of the opposite party, who shall reply thereto within 14 days, or within such farther time as the district direction shall find necessary according to the circumstances of the case, or other local considerations, adding to such reply all the proof and documents which he shall think to be required.

Art. 101. When any one neglects to apply within the aforesaid periods he shall forfeit his right of defence, unless he shall show cause for the delay to the satisfaction of the district direction.

Art. 102. The reply having been received, the same shall again by the præsis be put into the hands of the appellant to answer to the same within 14 days or a so much longer period as the district direction shall judge expedient.

Art. 103. The appellant not sending in his rejoinder within the given time shall thereby be considered as having desisted from his right thereto, and the case shall be concluded according to the documents already delivered.

Art. 104. The district has the right previous to their deciding, again to summon and examine the parties.

(Art. 105 is not given in the copy.)

*Second Chapter : First instance, respecting partly the Church Government and discipline and partly Church differences.*

*A. Church Government and discipline.*

Art. 106. When complaints are made to the district direction respecting the doctrine or conduct of Ministers or Members of the Vestry, they shall appoint a Commission to inquire into the same. Among the Ministers the Emeriti are also included, who are considered to be under that district direction, within which they reside.

Art. 107. The Commission shall be obliged to hear the

accused party, they shall put in writing his admission or other answer, as also the information and evidence they shall have received, and transmit the same as soon as possible to the Præsis to be laid before the district direction at their first meeting, at the appointing of the Commission the time shall be fixed for sending in this report.

Art. 108. In case of confessing, the Commission shall immediately communicate the same to the præsis of the district direction, who shall summon the accused to appear before the first meeting ; if the confession is persisted in, then upon the ground thereof shall the district decide, according to the nature of the case, conformably to the Church Laws. But in case the accused should recal the confession made by him, the regulations contained in the following article shall be attended to ; however at the final decision the validity or otherwise of the reasons for his having recalled his confession must be particularly considered.

Art. 109. In case the accused person shall either in part or wholly deny that which he is charged with, shall have refused to appear before the Commission, or having appeared, refused to enter upon the subject with them, then shall the report of the Commission be put into his hands and within 4 weeks from that time he shall deliver in his reply, adding to it all such documents as he shall think necessary to his case.

Art. 110. When however the offence charged is one of Public immorality causing also disturbance, then shall the district direction, seeing a strong cause for considering the charge on its first appearance well grounded, provisionally suspend the accused, and in that case report the suspension, not only to the General Church Assembly, but also to His Excellency the Governor, stating the grounds and motives for having done so, and by whom the suspension must be approved before it can take effect.

Art. 111. In case the accused should not reply within the given period, then at the first meeting of the district direction they shall decide, grounding their decision on the Report.

Art. 112. In case of reply the Præsis shall deliver the same again to the Commission, who shall thereupon again hear the accuser, the accused, and Witnesses, and farther report thereon.

Art. 113. This report and annexures shall again be put by

the præsis into the hands of the accused, who shall anew reply thereto within 4 weeks from the date of his receiving it.

Art. 114. The district direction shall then decide as they think fit, and acquaint the parties therewith in writing.

Art. 115. In case the accused neglects within the given time anew to reply, the decision shall be grounded upon the second Report of the Commission.

Art. 116. The district direction is still authorized, if necessary, to summon the accuser, the accused, and Witnesses before them; but the accuser and accused have the right to request this of the district direction, and that request shall not be refused but on very strong grounds of objection.

Art. 117. Charges relating to the doctrine of a Minister shall not be received unless supported by *clear proofs* that he has denied or disputed the doctrine which according to God's Holy Word is contained in the form of unity of the Reformed Church.

#### *B. Church differences.*

Art. 118. Differences in the Vestry, or between Members of the same, are in the first instance brought before the district direction.

Art. 119. It will be necessary to address for that purpose the præsis of the district direction in writing, who shall put the complaint into the hands of the opposite party, to reply thereto within 4 weeks after the receipt of the same.

Art. 120. This reply shall be put into the hands of the Complainant to report thereon within 4 weeks.

Art. 121. This report is again put together with the annexures, into the hands of the accused,—who is to send in his rejoinder within 14 days.

Art. 122. The district direction can decide upon the writings, or put the same into the hands of a Commission to report thereon.

Art. 123. In case the required document is not brought in within the time specified, then shall the district direction decide, without waiting for it, as they shall think right.

Art. 124. All other differences shall be conducted in like manner as directed in the foregoing articles.

*Fourth Sub-division : Regulations for the Synodical direction as well by appeal as in first instance, as also by revision.*

*Chapter the first,—by Appeal.*

Art. 125. In case any one feels himself aggrieved by a decision of the district direction, from which according to the Laws he can appeal to the General Church Assembly, and being desirous of doing so, he must give notice of his intention to appeal to the president of the district direction by Memorial and to his opponent by insinuation.

Art. 126. In like manner he shall within 4 weeks after the decision of the district direction, transmit the request of his appeal with the documents belonging to the case to the "Scriba" of the last preceding general church assembly, who shall deliver the same to the president of the next general church assembly as soon as the same shall have been appointed.

Art. 127. The district direction shall in that case transmit as soon as possible all the documents given in by the parties or authenticated copies of the same to the "Scriba" of the last preceding general Church Assembly, for the purpose directed in the preceding article.

Art. 128. The contending parties shall severally be allowed to support their opinion with the General Church Assembly by Memorial, which must be sent to the Præsis of the General Church Assembly before their meeting.

Art. 129. The General Church Assembly shall decide upon the documents, either to confirm or to reverse the former decision, after having received thereon the written report of a Commissioner.

*Second Chapter, in first instance.*

Art. 130. Differences shall be brought in first instances before the General Church Assembly in which one or more district directions or Members thereof, or Members of the General Church Assembly, are as such concerned.

Art. 131. The informant shall give notice of his intention to the accused party by insinuation in writing, stating the grounds and motives for doing so at least 4 weeks previous to the meeting of the Assembly.

Art. 132. The informant as well as the accused shall be

allowed to represent their case in writing, which shall be sent in to the præsis previous to the meeting of the General Church Assembly.

Art. 133. The General Church Assembly shall appoint a Commission the day after their meeting to examine all the documents respecting differences brought before the general Church Assembly, whether in appeal or in first instance, and report thereon in writing.

Art. 134. The General Church Assembly decides upon the reports of the Commission, or determines first to hear the parties and the witnesses.

*Third Chapter, in Revision.*

Art. 135. In case any one should wish to bring a decision made by the General Church Assembly in first instance in revision, he shall within two months give notice thereof to the Secretary of the last preceding general Church Assembly, and at the same time deposit with them the amount of the probable expences, and should the expences prove in the end to have been less than what they had been estimated at, the balance will be returned to him, and if the contrary the surplus shall be added to the amount of the expences actually incurred, the regulations of the 66th Article notwithstanding.

Art. 136. A satisfactory receipt shall be given to the deponent for the amount of the money so deposited, in order that, provided therewith, he may address himself to His Excellency the Governor, requesting that a General Church Assembly of Revision may be summoned, to which is to be added by His Excellency such a number of Members of the Reformed Religion as Dep. Revisors as His Excellency shall deem necessary, when the same mode of proceeding shall be followed by the Assembly of Revision as is done by the General Church Assembly.

Art. 137. Every second year on the first Tuesday in the month of November shall the General Church Assembly meet.\*

(Signed) J. C. BERRANGÉ, V.D.M.,  
M. BORCHERDS, V.D.M., Secretary,  
J. A. TRUTER, Political Commissioner.

\* That this article (No. 137) be amended according to the Resolution of this day; that the Synod be for the future held at intervals of 5 years.

*Regulations (according to Article 32) arranged by the General Church Assembly according to which persons (belonging to the Dutch Reformed Church\*) desirous of holding Religious Meetings shall conduct themselves.*

Art. 1. By the word *meeting* in this regulation is not meant private Companies where some friends come together in order by conversation, singing of psalms, and prayers, to benefit each other in the knowledge of truth which is unto salvation, but such meetings where at fixed times, and by previous notice, one or more persons of our Church, expound as Teachers the divine Truths in the presence of a greater or less number of hearers.

Art. 2. Henceforward all such who wish to hold meetings shall address themselves for leave to the Vestry, who shall take time for making particular Enquiry into the conduct and mode of life of such applicant, which information being favourable, the Vestry shall summon them to appear before them and subject him if thought necessary to an examination as to his knowledge of the truths of the Reformed Church doctrine in which the person examined, being found sufficiently grounded and well disposed, permission shall be given him, under specific limitations to which he must conform.

Art. 3. No one belonging to one place shall be permitted to hold meetings in the limits of another congregation without producing a proper certificate from the place where he belongs, nor without having addressed himself to the Vestry in loco and having obtained its sanction.

Art. 4. Such persons to whom the said permission shall have been granted are to promise as follows before the Vestry :

1st. That as a subject of their disquisition they shall rarely take free Texts (*Vrije Teksten*) and shall never treat them in the form of a doctrinal discourse, but confine themselves generally to divine Truths, directed by the leading tenor of the *Heidelbergsche Catechism* and the *Netherland Confession of Faith* or any other by the Church approved Theological Systematic work, that their manner of instructing shall be in the form of questions and answers, and not deliver a connected

\* These words were inserted in pursuance of an amendment proposed by Council to the Title of the Regulations.



discourse on those subjects, confining themselves when they enlarge on any subject, to what may be necessary for illustration, as is the practice when catechising.

2nd. That the holders of such Meeting shall carefully abstain from using any such expressions or of proposing such points as may tend to create schism and division in the congregation, but on the contrary to endeavour to preserve the bond of union of Faith: they shall also carefully abstain from taxing the Government or its administration or the Ministers or their doctrines and clerical duties, or in anywise to contravert what shall have been delivered from the pulpit.

3rd. That they shall strictly confine themselves to the pure word of God, and the forms grounded thereon by the reformed Church, promising never to propose anything to the contrary thereof.

4th. That so far from drawing persons away from the attendance on Public Worship of their congregation, they shall on the contrary recommend the propriety and necessity thereof, and consequently they shall never hold their meetings at such times when there is public Worship, or that in any other way could interfere therewith.

5th. They shall at all times be ready to communicate if thereto required with the Minister or Ministers and Elders as also with the Vestry, to be questioned respecting their meetings, and receive with meekness any remonstrance made thereon. They shall also suffer besides the Ministers and Elders any members of the congregation to be present at their meetings who may choose to do so.

6th. That their Evening meetings shall not be continued later than 9 o'clock.\*

Art. 5. The Vestry shall be duly informed of the time when, and places where, Meetings are to be held.

Art. 6. It is understood that all meetings held by members under censure or other improper persons in general, and by Women in particular, as also such which do not in every respect conform to these Regulations shall be prevented by the Vestry (if necessary), assisted by the Magistrate.†

\* That the 6th clause be omitted, viz: "That their evening meetings shall not be continued later than 9 o'clock, this being a matter of Police.

† That these words, "if necessary assisted by the magistrate" be omitted.



Art. 7. At every place where meetings are held there shall be a poor's box, for donations for relief of the poor, from which nothing shall be deducted but the reasonable Expences approved by the Deacons in whose custody alone the Key of such Box shall be, to open the same at proper times in order to pay therefrom the approved expences and to place the remainder into the poor's chest.

Art. 8. No part of the foregoing is applicable to such meetings as are held in established Meeting houses, the direction of which is left to the directors of such Society and Body, provided they remain responsible to the Church administration of the place where these are established.

(Signed) J. C. BERRANGÉ, V.D.M.,  
M. BORCHERDS, V.D.M., Secretary,  
J. A. TRUTER, Political Commissioner.

*Regulations for the Ministers' Widows' Fund.*

The Government of this Colony having by the 33rd Article of the existing Church Regulations determined that the Widows of Clergymen should annually receive 360 Rixdollars for their support, the Synod has thought necessary to add to this support, and for that purpose to establish a distinct fund under the following Regulations.

Art. 1. All officiating ministers of the Reformed Church in this Colony must unite to form a fund from their private purses.

Art. 2. That Ministers not being of equal ages, and that according to the common course of nature it is to be expected that the oldest will be first removed by death, and that consequently thereby the fund will become earlier charged, so it is reasonable that their contribution should be encreased in proportion, wherefore the following Regulations are made: Ministers under the age of 30 shall pay for contribution Rds. 250, those from 30 to 40 years of age 350 Rds., those from 40 to 50 years of age 450 Rds., and from 50 and upwards 500 Rds.

Art. 3. Beginning from the month of January 1825 shall

each Minister pay the fourth part of what he owes for his contribution to a commission to be appointed for that purpose, and in like manner successively the three following, until the full amount shall have been paid.

Art. 4. Ministers shall be obliged to contribute three Rix-dollars every month.

Art. 5. The Synod will endeavour by the interposition of His Excellency to have the funds placed under the care of the Orphan Chamber, while the Commission alluded to in Article 3 will only be concerned therein for as far as there is expressed.

Art. 6. The Money raised from Marriages solemnized at any other periods but those appointed for that purpose shall also be added to this Fund with the following exceptions : That Stellenbosch on account of certain reasons there existing shall be at liberty to contribute only one half of the sum specified, and therefore only twelve Rds. and a half. This however only during the life-time of the present Minister, the Reverend Mr. Borchers.

Art. 7. The contributions of the respective congregations towards this fund will be received with gratitude, and honorable mention be made thereof.

Art. 8. The respective Magistrates will be requested when fines are levied favorably to consider this Fund.

Art. 9. With the concurrence of the political Commissioners the Government will be respectfully solicited to grant to this fund a sum of 10,000 Rixdollars free from interest for the term of ten years to be reckoned from the day of the receipt thereof, to be advanced from the dead fund of the Orphan Chamber.

Art. 10. The amount of the aforesaid fund would produce about 3000 Rds. per annum, viz. first contribution of 4 Members above 50 years of age

Do. one Member of from 40 to 50 Do.	Rds. 2000
Do. Eight Do. of from 30 to 40 Do.	450
Do. one Do. under 30 Do.	2800
	250

Rds. 5500

## On which the annual Interest

1. Of the above mentioned Capital . . . . .	Rds. 330
2. Annual Contributions of 16 members at the rate of 36 per annum . . . . .	576
3. Marriages above alluded to taken at the rate of 50 couple throughout the year . . . . .	1250
4. Interest of the loan of the Orphan Chamber .	600
5. Fines, Donations and bequests . . . . .	400

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Rds. 3156

Art. 11. The Ministers of the Reformed Church shall each severally bind themselves by a written declaration to the regular observance of these Regulations as also that they will transmit regularly every three months free of expense to the Commission mentioned in Article 3 the amount of their contributions, from whom they will receive a proper receipt for the same.

Art. 12. No Minister having once taken part in the Widows fund shall be allowed to withdraw himself from making the fixed contribution, even if his wife should die.

Art. 13. The Minister who shall neglect to pay his share at the time fixed by the 11th Article shall forfeit for the first time 5 Rds., for the second time 10 Rds., and for the 3rd time 25 Rds., after which should he further neglect he shall then forfeit all his contributions and be struck off of the list of participants. The Synod however reserving to itself the right and competency in case of the demise of any of the Ministers who might become so situated to grant to his Widow, provided she makes application to that effect and pays off her late husband's arrears, the benefit of this fund.

Art. 14. The monthly contributions are considered to begin with primo January 1825.

Art. 15. The principal capital of the first contribution as also the augmentation thereof shall not be touched.

Art. 16. To each Widow shall be paid provisionally from this Fund 500 Rds. annually, unless by an unexpected increase in the number of Widows, the state of the Fund should require a reduction, which shall be determined by the Synod.

Art. 17. The Widow's right upon this Fund begins from the period of her husband's death.

Art. 18. No money belonging to this fund shall be paid to a Widow but on proper receipt, accompanied by a certificate of her being alive, signed by the Minister and one Elder of the congregation to which she belongs, or in case of the absence of the Ministers by two Members of the Vestry or two other creditable persons of the congregation to be transmitted free of expense to the fund.

Art. 19. In case the widow of a participant marries again, then her pension ceases.

Art. 20. Each participant's widow to give immediate notice to the Directors of the Fund, of the day on which her husband died, adding a Certificate thereof signed by the Vestry of that congregation.

Art. 21. At the death of a participant's Widow the pension is only paid up to the day on which she died, and the Minister or the Vestry of the congregation to which she belonged shall forthwith acquaint the directors of the Widows fund therewith.

Art. 22. The Synod appoints a Commission to receive and if required to put out the Money received.

Art. 23. In the Regulations no alteration shall be allowed to be made but by the Synod, and only with the concurrence of at least 3/4ths of the Ministers present and interested therein.

Art. 24. To each Vestry one or more Copies of these Regulations shall be transmitted to be preserved among their papers.

Thus done and Resolved in the Synodical Assembly of the Dutch Reformed Church on the 6th November 1824.

(Signed) J. C. BERRANGÉ, V.D.M.

By order of the General Church Assembly.

(Signed) M. BORCHERDS, Secretary,  
J. A. TRUTER, Political Commissioner.

*Synodical Resolutions that have obtained the force of Law by His Excellency's Sanction.*

1. *Synodical Resolution respecting the Church Regulations framed by the Commissary General Mr. J. A. de Mist in the year 1804.*

CAPE TOWN, 5th November 1824.

The Synod has resolved that the Church Regulations framed by the Commissary General Mr. J. A. de Mist in the year 1804 shall be considered as the fundamental Law for the Reformed Church in this Colony, of which these later regulations for the Church administration are only modifications and additions made necessary by the altered circumstances of the times.

In the name of the Synod.

(Signed) J. C. BERRANGÉ, Synodi Præsis,  
A. FAURE, Acting Secretary,  
J. A. TRUTER, Political Commissioner.

2. *Synodical Resolution for levying contributions (according to the 18th Article of the General Regulations) in each Congregation for the Synodical Fund.*

CAPE TOWN, 3rd November 1824.

The Synod has resolved according to the 18th Article of the General Regulations, in order to provide for the expenses of the future Synods, that the following levies shall be made in each congregation for the Synodical Fund :—

1. From the ordinary collections 10 per cent.
2. Donations, presents, and bequests 10 per cent.
3. Christening fees, out of the usual hours, for each child one Rixdollar, and for each child within the usual hours four Skillings.
4. Burial fees 4 Skillings.
5. For each seat at church 4 Skillings, with this additional

stipulation that the poor and those unable to pay shall be exempt therefrom.\*

In the name of the Synod.

(Signed) J. C. BERRANGÉ, Synodi Præsis,  
A. FAURE, Acting Secretary,  
J. A. TRUTER, Political Commissioner.

*3. Synodical Resolution respecting the administration of the Synodical Fund.*

CAPE TOWN, 18th November 1824.

The Synod has thought proper to direct the following regulations respecting the mode of levying and administering the Synodical Fund :

1. The levying of the same shall commence from the 1st January 1825.

2. In each congregation the cashier Deacon shall be charged with the receipt thereof, he shall keep a particular account thereof, and keep the same with the church money, but separate from the other receipts of the church.

3. At the ring meetings the amount of the receipt thereof must be reported.

4. At the requisition of the Scriba of the Synod the money shall be paid into his hands against a receipt for the same.

5. The Ring Meetings shall give in as cash the accounts of the necessary expenses incurred by them, and besides deliver the balance of the money received under the approbation of the Synod.

In the name of the Synod.

(Signed) J. C. BERRANGÉ, Synodi Præsis,  
A. FAURE, Acting Secretary,  
J. A. TRUTER, Political Commissioner.

\* It was resolved in Council on the 20th June 1827 that no further levies be made from the 1st of January 1827 on behalf of the Synod fund, save and except the extra fees on Baptisms and on seats in Church.

4. *Synodical Resolution respecting the ordaining of Missionaries.*

The Synod has determined that Missionaries being members of the Reformed Church shall in future, if they wish to be so, be ordained by and on behalf of the General Church Meeting, in order that they may administer the Holy Sacraments to the congregations they have formed among the Heathen under such limitations as the Synod shall think necessary to direct respecting it.

In the name of the Synod.

(Signed) J. C. BERRANGÉ, Synodi Præsis,  
A. FAURE, Acting Secretary,  
J. A. TRUTER, Political Commissioner.

5. *Synodical Resolution respecting the age of those who desire to be received as Members of the Church.*

CAPE TOWN, 16th November 1824.

Resolved that in future no young men under 16 and no young females under 15 years of age shall be examined for the purpose of being received as Members.

In the name of the Synod.

(Signed) J. C. BERRANGÉ, Synodi Præsis,  
A. FAURE, Acting Secretary,  
J. A. TRUTER, Political Commissioner.

6. *Synodical Resolution respecting the transmitting of Documents to the General Church Meeting.*

CAPE TOWN, 15th November 1824.

The Synod has resolved that whereas in future a Synod will be held every two years, that is on the first Tuesday in the month of November, all Country Churches must send in all the points they intend for consideration three months previous thereunto, in conformity to the 48th and 49th Articles of Mr. De Mist's Church Regulations, to the Reverend Ministry in Cape Town, in order to be arranged according to the 48th

Article, which arrangements the Country Churches must reply to within one month after having received it.

In the name of the Synod.

(Signed) J. C. BERRANGÉ, Synodi Præsis,  
A. FAURE, Acting Secretary,  
J. A. TRUTER, Political Commissioner.

*7. Synodical Resolution respecting the place and time for holding District Meetings.*

CAPE TOWN, 15th November 1824.

The Synod has thought proper to determine that the place where District Meetings are to be held shall be by rotation, beginning with the senior Church in each respective District.

With regard to the time it is determined that it shall take place at least once a year, that is during the week next after Easter.

The presidium in these respective District Meetings shall, for the first time, be performed by the Minister of the Senior Church in each District, and the Secretaryship by the Minister of the Church next in seniority ; in succeeding years they are to be regulated according to the seniority, or the number of years the respective Ministers have held their churches.

From each Vestry an Elder, or another Member of the Vestry in his stead, shall have a seat.

A mutual correspondence must be kept up between the secretaries of the different districts.

In the name of the Synod.

(Signed) J. C. BERRANGÉ, Synodi Præsis,  
A. FAURE, Acting Secretary,  
J. A. TRUTER, Political Commissioner.

*8. Synodical Resolution respecting representing the state of Religion in each Congregation.*

CAPE TOWN, 16th November 1824.

The Synod has resolved when the District meeting takes place, the Vestry of each congregation shall make a proper



report of the state of Religion in their congregation, as well with respect to Christians as Heathen.

In the name of the Synod.

(Signed) J. C. BERRANGÉ, Synodi Præsis,  
A. FAURE, Acting Secretary,  
J. A. TRUTER, Political Commissioner.

*9. Synodical Resolution respecting the delivering of Church Certificates.*

CAPE TOWN, 16th November 1824.

The Synod has resolved that the Church Certificates shall be delivered before they are half a year old, and being older, the holder thereof shall pay a fine of one Rixdollar for the benefit of the Synodical Fund; and the longest period at which they will be receivable shall be one year and six weeks, for which purpose the Civil Authority will be requested in future not to grant any civil certificates to any one without the Vestry or Minister having first been applied to for a Church Certificate, of which the acknowledgment must be produced, or a written proof of not being a member of the Church.\*

In the name of the Synod.

(Signed) J. C. BERRANGÉ, Synodi Præsis,  
A. FAURE, Acting Secretary,  
J. A. TRUTER, Political Commissioner.

*Decision of Government respecting the Certificates to Members of the Church.*

[Extract.]

COLONIAL OFFICE, 7th July 1825.

It has pleased His Excellency to approve the Regulations proposed by the Synod respecting Church Certificates, and the civil authorities will be instructed to act accordingly in as far as it concerns them.

(Signed) RD. PLASKET, Secretary to Government.

\* That the Second Clause thereof be omitted;

10. *Synodical Resolution respecting keeping Holy the Sabbath.*

CAPE TOWN, 16th November 1824.

The Synod, complaining of the profanation of the Christian Sabbath occasioned by unnecessary buying and selling, making noises and riots in the streets and roads, playing, gambling, the opening of taphouses on the day appointed for divine worship, has resolved to solicit Government to order that throughout the Colony the taphouses shall be entirely shut during the Sunday, and further to forbid whatsoever may tend to the profanation of the Sabbath.

In the name of the Synod.

(Signed) J. C. BERRANGÉ, Synodi Præsis,  
A. FAURE, Acting Secretary,  
J. A. TRUTER, Political Commissioner.

*Decision of Government respecting preventing the profanation of the Sabbath.*

[Extract.]

COLONIAL OFFICE, 7th July 1825.

Respecting the observations made by the Synod on the subject of the profanation of the Sabbath, His Excellency will direct the Magistrates to take care that the Laws and Regulations thereunto relating shall be punctually observed, which he trusts will be sufficient to check the evil complained of.

(Signed) RD. PLASKET, Secretary to Government.

11. *Synodical Resolution respecting certain proceedings of the first District Meeting.*

CAPE TOWN, 8th November 1824.

The Synod has resolved to refer to the respective districts the framing of regulations where this may be necessary, for the Members of the Vestry, Sextons, Clerks, as also the preparing a plan as to the form and manner according to which

the Church Visitation can be most usefully regulated, subject notwithstanding to the sanction of the Synod.

In the name of the Synod.

(Signed) J. C. BERRANGÉ, Synodi Præsis,  
A. FAURE, Acting Secretary,  
J. A. TRUTER, Political Commissioner.

[Annexure to the above.]

[Translation.]

*Commissary General De Mist's Regulations.*

*Wednesday the 25th July 1804.*

The Commissary General, strongly impressed with the truth that no civilized society can exist without religion, and that it is the duty of a Government to take care by every possible means that the public worship of all such Religious sects, who, towards the promotion of virtue and morality adore a Supreme Being, should be encouraged and protected, is nevertheless convinced that this protection must rest on fixed and just principles and be guided by regular laws and orders ; without which the best and most beneficial Institutions become in time useless and in the end terminate in confusion, rupture and divisions to the ruin of the State ; and it is from a Conviction thereof, that He after mature deliberation and having taken the opinions of the Governor and Council of Policy, has found good (in explanation, and saving the High approbation and sanction of the Government at home) to enact for this Colony, and He hereby enacts accordingly the following :

*Provisional Church order for the Batavian Colony at the Cape of Good Hope.*

*Chapter First.—General principles and regulations.*

Art. 1. All Religious Sects who towards the promotion of virtue and morality worship a Supreme Being enjoy in this Colony the equal protection of the laws.

Art. 2. Each sect professes its opinions publicly without

improperly taxing those of others, and allows to each free access to their meetings.

Art. 3. No exclusive privileges in the Burgher Society are attached to any particular religious confession of faith.

Art. 4. No other religious sects excepting those existing in this Colony and allowed at the time of its being again taken possession of in the name and on behalf of the Batavian Republic may publicly exercise any other worship or hold any public meetings, without the special knowledge and approbation of the Governor for the time being.

Art. 5. Government allows to every religious sect the free development of its particular tenets, and never makes any conditions or restrictions therein. It reserves to itself however the unalienable right to judge of the effects of these tenets on civil society and on the minds and actions of the Inhabitants. It is bound, should these effects be considered prejudicial, to oppose, prevent or moderate them. *The Teachers are obliged in their public or private instructions to conform to the orders of Government to be framed in this respect.* All opposition is a disobedience of the laws and a resistance of good order.

Art. 6. No Buildings for the performance of public worship of whatever Sect shall be established or newly erected in this Colony without the previous knowledge and special permission of the Governor for the time being.

Art. 7. No Public Religious meetings shall be held at other times than on Sundays and the usual Holidays and in the buildings appropriated to public worship, without the special consent of the Governor for the time being, and even then always under the superintendence and at the responsibility of the authorised Directors of the Sect to which those persons who may wish to hold such private meetings belong. The Directors are to take care that no improprieties be committed on such occasions, nor that any Doctrines be preached which are contrary to good morals or the peace of civil Society.

Art. 8. *Each religious Sect is obliged to pay its own Teachers and Church servants and to keep its own buildings in repair.* Government has the right if necessary to prescribe the contributions of the members, what is granted from the Government treasury for this purpose can only be considered as an extraordinary subsidy.

Art. 9. *No Religious Sect shall increase the number of its Public teachers without the special consent of the Governor for the time being*, who has the right to judge of the necessity of so doing, as well as of the certainty of the fund from which the expense of the augmentation must be defrayed.

Art. 10. No Religious Sect shall appoint any public teacher who has not obtained the right of Inhabitant from the Governor for the time being.

Art. 11. No teacher shall be allowed to preach publicly who has not previously passed the High Schools and given Proofs of his capability and then upon having been duly ordained according to the forms observed by each religious Sect.

Art. 12. No unordained person in the pay or under the control of any particular Societies composed of members from one or more religious Sects, shall be allowed, as Missionaries from such societies, to exercise within this Colony any part of the Duties of a public or private teacher among the Christian congregations at present or hereafter to be established here.

Art. 13. No person shall be allowed to give either public or private religious instruction in this Colony without having previously obtained the right of Inhabitant and without having been examined and approved of as a teacher by the Directors of the Sect to whose congregation he declares to belong.

Art. 14. All such persons as have been sent hither for this purpose by legal authority from the Netherlands or who report themselves to be willing to go directly hence under the name of missionaries beyond the boundaries of this Colony in order to teach or promote civilization and morality among the Heathen nations, deserve every possible help, and the encouragement and support of Government towards such a laudable undertaking.

Art. 15. It rests with the Governor for the time being to prescribe the number as well as the stations of those who may be willing to undertake the same object among the Hottentots for as far as these as old natives of this Colony reside in distinct Villages or *Kraals* separate from the Christians and who stand under the immediate protection of the Government of this Colony. In no case however shall any person whosoever be at liberty to do so without the special permission of the Governor

and even then such Missionary shall never be allowed to interfere with the Civil State of those Hottentots more or further than shall be hereafter permitted them by the Governor for the time being.

Art. 16. The support of the poor is effected by charitable gifts to be collected by each religious Sect and given to persons belonging to that Sect.

Art. 17. Every person being of sound mind and having attained the years of discretion shall be at liberty to join any of the religious Sects here according to his own choice and to have himself enrolled as one of its members, and likewise to alter this choice afterwards as he may please. But as long as no special declaration to the contrary is made in this respect, good order requires that every person should be tacitly considered to belong to that Religious Sect of which his parents are Members, or in which he has been baptized. In case the parents may be of different religions the children shall be considered to belong to that professed by the Father, unless the parents have voluntarily made another arrangement in this regard.

Art. 18. The public Schools for the Instruction of youth do not belong to any particular religious Sect. They are nurseries to form good Citizens for the State, and as such are under the immediate superintendence and direction of Government.

*Chapter Second. Containing regulations respecting the due management of the tolerated religious Sects in this Colony.*

Art. 19. Government is to take care that the management of the Religious Sects in this Colony be effected with regularity, and that the Church and poor funds be appropriated to a good purpose and duly accounted for.

Art. 20. The Reformed Religion being by far the most numerous and in the Country the only one in this Colony, requires therefore special provisions, regulations, and the assistance of Government.

Art. 21. As the right of freely appointing teachers cannot be exercised by the members of this congregation at such a distance from the Mother Country, the supreme Government

in the Netherlands provides that so many capable and good teachers be sent hither as may be requisite to fill up the vacancies, or to perform the duties of any new Churches which may be allowed here by Government.

Art. 22. The Governor for the time being has the right to order such newly arrived teachers into any of the vacant Clergymen's places, and by way of promotion to remove them from the one church to the other within this Colony as he may deem most convenient and conformable to the service of the church and to the personal abilities and interests of the Teachers.

Art. 23. The Church council (or Vestry) in each congregation is elected in the manner prescribed by the church orders. In newly established congregations the Elders and Deacons shall be appointed for the first time by the Landdrost of the District to which the congregation belongs.

Art. 24. All annual elections of new Elders and Deacons as being *likewise administrators of the church and poor funds* shall be submitted for approbation to the Governor for the time being. He has the right, should he see important reasons hereto, to reject any one of those elected and to appoint another more adapted person in his place. The Church Council of the preceding year continue in office till the disposition of the Governor shall be received.

Art. 25. The Regular Salaries of the clergymen of the reformed congregation are, by way of improvement and doing away all the former usages of allowing rations and the like, to be fixed in future, commencing from the first of January 1805 at the following sums :

The two Clergymen in Cape Town jointly *Rds.* 3,800 or *f*7,600 Dutch Currency ; of which the Senior is to receive a yearly Salary of Two Thousand *Rds.* Cape or *f*4,000 Dutch currency, and the junior a yearly salary of Eighteen Hundred *Rds.* Cape or *f*3,600 Dutch currency, without any further enjoyment of free residence or house rent.

The Clergymen of Stellenbosch, Paarl, Zwartland, Roodezand, Zwellendam, Graaff Reinet, and those who may hereafter be appointed to the newly established Drostries of Tulbagh and Uitenhage, shall be allowed each a fixed Salary of one Thousand *Rds.* or *f*2,000 Dutch currency over and above the

free use of a parsonage or parson's dwelling, with the garden or land belonging thereto.

Art. 26. In case Government should consider it reasonable that any of these Clergymen, either in consequence of advanced age and long faithful service, or through incurable disorder and consequent inability to perform the duty any longer, should be declared *Emeritus* such however shall not in future receive more during the remainder of their lives than three-fourths of the salary which they have enjoyed to that time. Clergymen in the Country being declared *Emeriti* shall besides, should they chuse so to do, occupy the parsonage dwelling till the arrival of their successors. From the day of giving up the parsonage to their successors, they shall continue to receive, although *Emeriti*, their former full Salary for life without a Dwelling or House rent.

Art. 27. Till such time as there shall be other funds, all the above mentioned Salaries shall be paid quarterly the same as the other civil salaries at the Office of the Receiver General on a warrant from the Governor and Council.

Art. 28. Every Clergyman of the Reformed Church coming here from the Mother Country and destined to serve within this Colony, shall without any deduction from his above-mentioned fixed Salary, receive during the first six months of his residence here, but not longer, a sum of forty Rixdollars or Eighty Caroli Guldens Dutch currency per month for House rent or towards procuring other necessaries.

Art. 29. The Clergymen of Cape Town when not prevented by a vacancy or the indisposition of one of them, shall in consideration of their now augmented Salaries, perform public Divine Service and administer the Sacraments by turns or according to an arrangement between themselves four times a year at Simon's Bay, namely on the first Sundays in the months of February, May, August, and September *sic* (November ?). The Governor will give the necessary orders that they shall be provided free of cost with the necessary conveyance there and back, and that they be lodged and their expenses defrayed according to their rank. The Civil Authorities at Simon's Bay are to take measures by order of Government, that a proper Apartment for holding public worship on the prescribed days be prepared, either in one of the public buildings or in some



private house adapted for the purpose. The charitable gifts collected on these occasions shall, after the conclusion of the service, be counted by the Clergyman in presence of two of the male Members of the congregation, to be certified by their signatures, and provisionally kept, although distinctly, with the poor fund of Cape Town, till such time as the Governor for the time being shall find good to dispose of the same for some charitable purpose or other, but only on behalf of the Inhabitants at Simon's Bay. The Inhabitants there are to be timely acquainted through the *Gazette* or some other well calculated means of information of each time that divine Service is to be performed.

Art. 30. The great extent of most of the Church Districts in the country parts of this Colony, is the cause that a considerable number of the Inhabitants can scarcely ever or at all events not without much inconvenience attend public worship, which also prevents them having their children baptized, receiving the Holy Sacrament and contributing their charitable gifts to the poor fund. In order to attain all these useful objects, the Clergyman assisted by one or two Members of the Church Council, shall from time to time at least four times in the year perform Divine Service and administer the Sacraments at such particular places distant from their Churches as may be found best adapted hereto, changing them as often as possible ; on which occasions they shall visit the families of their parishes, advise, instruct and comfort them, by so doing making themselves acquainted with the morals and behaviour of their parishioners and continually represent to them the necessity of obeying the Laws ; the respect due to their Governments ; the error and destructive consequences of self will ; and the criminality of ill-treating the free Hottentots in their service, as well as their Slaves &c. Timely notice of such performance of Divine Service at places beyond the church shall be given to the Inhabitants in the Vicinity from the pulpit, by the Fieldcornets or by some other eligible mode of information, when they shall be invited to attend public worship, to partake of the Holy Sacrament, and to remember the poor of their District.

The Inhabitants of the Country Districts where this measure is useful and necessary shall consider it their duty towards the

attainment of such a salutary object, to provide the Clergyman and Members of the Church Council with proper conveyances or relays of cattle, and with good lodgings and provisions. In case of any misunderstanding in this regard the Landdrosts shall each in his respective District give the necessary orders.

Art. 31. On a Vacancy in any of the churches, through the death of the Clergyman, his Salary for the current quarter in which he died, together with a full half year's salary, shall be paid to the widow or children, (but not to any other heirs), and in the country they shall be allowed the free use of the parsonage house. The clergymen of the neighbouring parishes shall, as far as possible and without detriment to the duties they owe their own parishioners, perform divine service gratis at the vacant Churches during that time and on behalf of such Widow or Children. The expenses however of their conveyance back and forwards and during their stay here, shall be paid by the congregation on whose behalf this charitable Service shall be performed.

Art. 32. In case of a longer Vacancy than that prescribed in the preceding Article, the neighbouring Clergymen shall continue to perform public Worship from time to time in such of the parishes, for which they shall each be entitled to charge twelve Rds. Cape or Twenty-four Dutch Guilders for every preaching, to be defrayed by the fund from which the usual Salaries of the Clergymen are paid. The waggon hire back and forwards as well as the other expenses are to be paid by the congregation on whose behalf the service has been done. The respective distances between the Churches at the Residencies of the Drostdies of Zwellendam, Graaff Reinet, Uitenhage and Tulbagh, also (as a Church may be built there,) renders this order inapplicable to these Churches.

The Landdrosts of these Districts are therefore recommended in case of Vacancies to make such other arrangements in conjunction with the Church Council or the congregation, to be submitted to the approbation of the Governor for the time being, as they may deem best adapted towards the maintenance of Religion and least expensive to the Inhabitants of their District.

Art. 33. The Widows of Clergymen after the expiration of the half year mentioned in Art. 31, shall, should they desire

it, enjoy during life, or till they re-marry, a widow's pension of thirty Rixdollars or /60 Dutch currency per month, which shall be paid out of the Government Treasury.

Art. 34. The ordinary Divine Service is always held at stated hours. In case it be necessary to change these hours in the Winter months or for other good reasons, it shall be done by the advice of the Church Council, and when in Cape Town, with the previous consent of the Governor for the time being, and at the residencies of the Landdrosts with their consent. The Congregations are to have notice as timely as possible of such alterations.

Art. 35. The Clergymen shall keep at their own personal responsibility, exact registers of all persons baptized by them, containing the names and places of abode of the parents and Sponsors and likewise of those baptized with insertion of the date of the baptism, and also of the day on which, and place where, the person baptized was born. They shall keep similar registers of the persons confirmed belonging to their congregation, and of the solemnization of marriages for as far as the Laws of this ceremony allow them.

Art. 36. And as such Registers are absolutely necessary to secure the legitimate birth and descent, as well as the acknowledged rank in Society, of the Inhabitants, duplicates thereof shall be made at the expiration of every year by the Sexton or Clerk, whichever the Church Council shall think best qualified hereto, to be authenticated by the Clergyman and sent in annually before the first of April to the respective Secretaries' Offices in Cape Town or at the Drostdies in order that there may be always a copy in case of fire, violence or any other accident.

Art. 37. The administration of the Church and poor's effects, buildings, monies and funds, remains as formerly with the respective Church Councils of which the Clergymen are the permanent presidents. In Cape Town it remains recommended to the Political Commissioner having a seat in the Church Council appointed hereto by Government and to the Churchwarden in the same manner as at present in observance, or as may be hereafter directed by further order.

Art. 38. The chief superintendence however of all ecclesiastical administrations remains with the Governor for the time being.

Art. 39. The Church Council therefore shall neither purchase nor sell any landed property, neither shall they wholly break down or erect new buildings the expenses of which cannot be defrayed from their ordinary and net surplus Incomes, neither shall they borrow any Monies on account of the Church or poor fund, without having applied for and obtained the written *Fiat* of the Governor for the time being.

Art. 40. The charge of the monies belonging to the respective Church and poor funds in the Country, remains recommended to the Church Councils on the same footing as at present in observance with each congregation, or as practised in consequence of special orders already or hereafter to be given. It is however a fixed rule that all the Members of the Church Council are jointly and severally, each for his share, responsible for any loss which may occur through negligence or bad faith in the administration of these monies.

Art. 41. All accounts of these monies are to run for a whole year from the 1st day of January to the last of December inclusive. The accounts shall be rendered and the funds accounted for in Cape Town in the same manner as at present in observance, or as may be otherwise prescribed by the Governor for the time being. The Church Councils of the Congregations in the Country are to transmit in the month of January of every year Accounts current in duplicate, signed by all the Members, to the Landdrosts of the District for examination. Underneath these Accounts must be a special declaration *that all the effects and monies in favor of the funds agreeably to the balance of the account, are actually in the church chest, and that they have been seen, counted and as such taken over at their personal responsibility previously to their signing the Account.* Should it be necessary the Landdrost may call for verbal or written elucidation from the Church council of any of the items of the account which he may suppose to be either erroneous or obscure.

Art. 42. The Landdrosts are to send back to the Church Council as speedily as possible, at the utmost before the end of the month of February, one of these duplicate accounts so received and approved with the word *Examined* underneath and certified with their signatures.

Art. 43. The Clergymen shall read these accounts to the

Congregation Three successive Sundays after the sermon but previously to giving the Blessing, in order that they may be assured of the Proper administration of their charitable gifts or other contributions ; or otherwise that they may have an opportunity, at the utmost within the eighth day after the last reading, to transmit to the Church Council their several remarks, should they have any to make thereon.

Art. 44. After the said eighth day, each of the Church Councils in the Country is to forward a copy of this account which has been read to the Congregation authenticated by the Landdrost, with any remarks that have been made thereon, to the Governor for the time being for approval ; who will then dispose in such manner as he shall deem most advantageous for the congregation.

Art. 45. Finally towards the support of the churches and of the poor in the Country parts within this Colony (saving the private concessions for a certain period, or granted to any of the congregations for other reasons, or of which they have at present or may hereafter acquire legal possession) the following funds are hereby prescribed for the future :—

1st. The usual *collections* made during divine service.

2nd. *Gifts, presents or Legacies*, made or bequeathed to the Church or to the poor fund.

3rd. *Fees for baptizing* out of Church or out of the usual hours of Service, for each baptism two Rds.

4th. *Confirming fee*, for each person confirmed one Rd.

5th. *Marriage fee*, five Rds. for each couple, to be paid to the church to which the Bride belongs.

6th. *Burying fees* for all corpses interred in the churchyard, or in any private burying ground situated within the Church limits of any church. For the corpse of any person above twelve years of age, three Rixdollars, and below twelve, two Rixdollars.

7th. *Seats in Church* to be prescribed by the respective Church councils, and all such others, the collecting of which is at present or may be hereafter allowed by Government according to the necessities of each particular congregation.

Art. 46. And in order that Government may be the better assured that all the abovementioned orders or those which may be hereafter added, be duly and regularly observed within this

colony, a trial shall be made if it be practicable and useful to hold in Cape Town at least once in every two years in the month of October or November a general *Church Assembly* for the reformed Congregations of this Colony, composed of two Clergymen and two Elders of Cape Town, and the clergyman with one Elder from each of the Congregations of the Country Districts. Two Political Commissioners, to be appointed by the Governor for the time being, are to be added each time to this assembly in order there to represent the Government of this Colony. In case through a vacancy, sickness or other legal hindrance, the Clergyman or the acting Elders may be prevented attending, each of the Church councils in the country may be represented by one or two of the Deacons or by one or two unexceptionable Members of the congregation who have been formerly Members of the Church Council.

Art. 47. The Presidency in this assembly shall in such case devolve by turns on the clergymen present according to the rank of the age of the church in which they officiate as Teachers. The pen at each assembly shall be used by the Clergyman who must probably preside at the next Meeting, or in case of his absence or indisposition by the nearest in rank.

Art. 48. The subjects for the consideration and investigation of their assemblies, the mode of passing resolutions thereon, and the determining on the funds from which the expenses of these Meetings are to be defrayed, shall be framed in conjunction with the Political Commissioners, at the first assembly to be held in the months of October or November of the year 1805 and submitted for approbation to the Governor for the time being. It is however to be considered as a standing order that the strict and as far as possible uniform observance of all the Articles of this Church Ordinance shall constitute one of the chief points thereof.

Art. 49. The month and day for holding this assembly, together with the points for discussion, shall be proposed by the Church Council of Cape Town to the Governor, which having obtained his written Fiat, the convocation thereto shall be made a considerable time before by the said Church Council of Cape Town, which is also to transmit the points for discussion with notice of the exact day, hour and place when and where the assembly is to

The Church Council of Cape Town

congregations are to be likewise convoked. Each Church Council has the right to transmit betimes to the Council in Cape Town such discreet propositions as points for the discussion of the next assembly as it may deem adviseable. The admission of such may not be refused.

Art. 50. The Church Council in Cape Town shall have two votes and the councils of each congregation in the country from which Commissioners are present in the Assembly *one* vote. The political Commissioners attend at the deliberations and are to be requested by the President to give their opinions and advice on the point under discussion previously to its being brought to a conclusion. They are to deliver to the President in writing before or during the sitting of the assembly, such further points, over and above the points for this discussion as they conceive should be made subjects of deliberation. They have the right to postpone the conclusion of any point till such time as they shall be enabled to learn the intention of the Governor on the subject.

Art. 51. It is left to the Governor to decide after this first trial, whether the proposed utility of their assembly can be united with the certain inconveniences attendant thereon from the nature of the extent of this Colony; and whether the former can be secured and the latter obviated or at least moderated.

Art. 52. Finally all usages hitherto in observance by any of the congregations, or to be deduced from any special and former resolution which may be contrary to this Church Ordinance, are hereby repealed, annulled and declared void. It remains however reserved to Government, in proportion as any of the above-mentioned points may be found wholly or partly impracticable in any of the Congregations, to make such alterations, improvements or additions therein as shall hereafter be deemed most advantageous for such Congregation and saving the principal object of this Ordinance.

An Extract hereof to be forwarded to the Governor and Council in order that the necessary execution be given to all the above-mentioned.

A true extract from the Register aforesaid.

(Signed) A. L. DE MIST, Secretary.

[Original.]

*Memorial of MR. SAMUEL FIELD.*

To the Right Honorable Earl Bathurst, His Majesty's Principal Secretary of State for the Colonial Department.

The Humble Memorial of Samuel Field, Pensioner of His Majesty's Royal Hospital of Chelsea ; late of Algoa Bay, in His Majesty's Colony of the Cape of Good Hope, and now of No. 12 Red Lion Court, Spital Fields, London, Humbly sheweth,

That your Memorialist having served  $21\frac{1}{2}$  years as a Sergeant in the East Norfolk Militia, was discharged in the year 1816, and afterwards placed on the Pension List, of the Royal Hospital, Chelsea, as an out-pensioner at the rate of One Shilling per day.

That your Memorialist left England in the Month of July, 1821, in the *Salisbury*, Captain King, as a free passenger and at his own expence, for the purpose and with the intention of becoming a Settler in the Colony of the Cape of Good Hope, to which place the Vessell was bound agreeable to instructions received from His Majesty's Office of the Colonial Department and by which instructions your Memorialist understood that all persons emigrating to the said Colony, were to have grants of Land given to them according to the means the said individuals possessed of cultivating the same.

That your Memorialist on his arrival at Cape Town Memorialized his Excellency Lord Charles Somerset, Commander of His Majesty's Forces in the said Colony, praying him to make your Memorialist a grant of Land in the Albany District ; but was informed that he must proceed with the Vessell to its place of destination, your Memorialist did proceed accordingly to Algoa Bay ; but although repeated applications were made to the Colonial Office during two years residence, and up to the period of your Memorialist leaving the Colony (Sept. 1823) he was wholly unable to procure any grant of Land whatever.

That your Memorialist also made application to the proper authorities in the Colony, to receive the amount of pension



due to him, but in consequence of not having certain certificates in his possession, (and which your Memorialist knew not it was necessary to procure previous to leaving England,) he was informed it could not be paid to him.

That your Memorialist having expended a considerable sum of Money in the purchase of Land, building a house, and procuring live Stock, together with the necessary implements of Agriculture, found himself reduced to the painful alternative of undertaking a long and expensive voyage to procure the said Certificates, or of resigning that Pension which had been conferred on him as a reward for upwards of 21 years service. Your Memorialist having arrived in England and accomplished his object at a very considerable expense and great difficulty, is desirous of returning to the property he has left, but is at present without the means of so doing, he therefore humbly prays your Lordship to take his case into consideration, and provide himself and family with some means of returning to Algoa Bay, with such things as he can procure, that he may find necessary, and that may be conducive to the improvement of the Colony ; and also that your Lordship will be pleased to grant him a certain portion of Land in the Albany District, to such extent, as to your Lordship may seem good.

Your Memorialist also humbly begs leave to submit to your Lordship's consideration, that the Officers, Merchants, and Tradesmen resident in the said Colony, are greatly inconvenienced by the present inefficient mode of travelling, there being no public conveyance other than by Waggons and Oxen, in any part of the interior of the Colony. Your Memorialist therefore humbly prays that he may be allowed to take out free of expence a Carriage which may run as a Public Stage Coach, between Port Elizabeth and Bathurst Town ; including the Towns of Bethelsdorp, Utenag, Graham's Town, &c. including an extent of upwards of 100 miles.

Your Memorialist humbly begs leave to submit the enclosed documents to your Lordship's consideration in support of his requests and earnestly hopes that your Lordship will adopt some measures to restore him to his property and possessions, and your Memorialist as in duty bound will ever pray.

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[Copy.]

*Letter from the* DEPUTY SECRETARY TO GOVERNMENT *to the*  
REVEREND WILLIAM GEARY.

COLONIAL OFFICE, 3rd December 1824.

SIR,—I am directed by His Excellency the Governor to acknowledge his Receipt of your letter of the 24th ulto., and having called on His Majesty's Fiscal to explain the grounds upon which his reply, (dated the 11th ulto.) to your communication was founded, I am to inform you that His Excellency is satisfied that the view taken of the case by His Majesty's Fiscal is in strict conformity with the Law.

His Excellency cannot pass unnoticed the very indecorous language you adopt in speaking of the Law Officer of the Crown in this Colony. I have &c.

(Signed) P. G. BRINK.

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[Copy.]

*Letter from the* REVEREND WILLIAM GEARY *to* LORD CHARLES  
SOMERSET.

MORRISON'S BOARDING HOUSE,

CAPE TOWN, 3rd December 1824.

MY LORD,—Having been officially informed that Sir Richard Plasket does not this day give his attendance at the Colonial Office, and feeling how critical my situation is now become, a consideration I trust sufficient to furnish an apology for my intruding thus *immediately* on your Lordship's attention.

Apprised by the Secretary to Government that your Excellency has received no Instructions from Earl Bathurst to authorise the issue of any Sum to defray the expence of my return to England, as well as that your Lordship does not conceive yourself "warranted without Authority from Home to refund to me the expences I state to have incurred in the Improvement of the House and Grounds allotted for the Chaplain's residence in Graham's Town," I solicit the Honor of submitting to your Lordship's attention another proposal.

Will your Excellency be pleased to grant me a *Loan* adequate to the expence of sending my family and self to England, on my willingness to make myself responsible for refunding the Sum advanced, in the event that the British Government declines to bear such expence ? And in case that the solid and essential improvements which I have made in my late clerical residence should be deemed insufficient by way *only* of Security in *part* of payment, will your Lordship allow the peculiar circumstances of my case to plead for my being permitted to give a Note of Hand promising to refund the Loan by certain Instalments hereafter to be specified by Government.

The features of peculiarity in my situation to which I solicit the Honor of calling your Lordship's attention are the following:

The Sale of my Effects, tho' at a *vast loss*, including a valuable Library, I feel thankful in stating has just enabled me to satisfy to the last Stiver every pecuniary demand against me ; but it has left me only the Surplus of a few Rix Dollars ! In stating which, I do submit to your Lordship that I am infinitely worse off than the lowest Mechanic, or most common Labourer in the Colony ! For the first in failing in one branch of business can have recourse to another, and the other is *sure* by manual labour to earn a comfortable subsistence ; whereas I may say, with the strictest truth, contemplating my personal calamity, "I cannot dig !" and the habits induced by Independence, "To beg I am ashamed !" for my means of support are limited to *one* Channel, namely the performance of Clerical Duties, but from the exercise of these I am prohibited by Earl Bathurst's Letter of Instructions to your Lordship.

Allow me, then, to ask, My Lord, what I am to do, to procure the common means of subsistence for myself and family ? For your Lordship cannot fail to notice that I am literally reduced to sit down with my hands tied, in a foreign Country, far distant from every friend, where I am a perfect Stranger, and yield myself up, as well as subject a wife and 3 Children, with the prospect of a 4th, to the miseries of absolute starvation and imprisonment.

Attached as Earl Bathurst is to our Church Establishment, will you allow me to appeal to your Excellency's candour, in frankly asking, whether your Lordship can *really believe* that

the Noble Secretary to the Colonies *could* contemplate with an eye of indifference a Clergyman of that Establishment in so cruel a situation ? or is it possible for His Lordship, or the British Government (proverbially generous), to grudge only the *Loan* of so small a Sum as will enable him to return with his family to his Native Country ? the *only* spot on which he can now calculate on the prospect of earning a subsistence !

Be pleased also to take into your Lordship's consideration that, (without meaning at all to advert to the points in dispute between the Colonial Government and myself), your Excellency's Candour *must* allow, and I challenge my bitterest enemies to deny, that both my private and public conduct as a Clergyman, as well as my respectability of Character as a Gentleman, continue unimpeachable.

If however *I* have had the misfortune to incur the ill opinion of your Lordship, my wife and children, My Lord, cannot surely have become the objects of your Lordship's displeasure ! Should I therefore have solicited too much for *myself*, will your Lordship be graciously pleased to enable Mrs. Geary and her Children to return home to her friends, and not be exposed (under the misery they must inevitably endure by a detention here) to the additional distress of witnessing *mine*, in the vain effort to procure for them a *bare* maintenance !

I take the liberty of soliciting the Honor of an early answer, from the circumstance of my having been informed that the Ship *Alacrity* will sail on Sunday next, or at the latest a few days afterwards. I have &c.

(Signed) WILLIAM GEARY.

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[Copy.]

*Letter from the Landdrost and Heemraden of Worcester  
to the Commissioners of Enquiry.*

WORCESTER, 6th December 1824.

GENTLEMEN,—In reply to your Letter of 12th August last requesting a statement of the progress of the public Buildings at Worcester, as well as an account of the application of the

Sum of One Hundred Thousand Rixdollars advanced by the Colonial Government for the erection of the Drostdy Buildings here, we have the honor to enclose you the accounts and returns of the Progress and Materials still in store.

We have &c.

(Signed) C. TRAPPES, Landdrost.

By order of Landdrost and Heemraden.

(Signed) P. POGGENPOEL, Secretary.

[The voluminous accounts attached show a total expenditure to 30th November 1824 upon the drostdy buildings of Rds. 78,657 1 sk. 2 sts. There was still a considerable amount of work to be done to the main building.—G. M. T.]

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[Original.]

*Letter from LORD CHARLES SOMERSET to EARL BATHURST.*

CAPE OF GOOD HOPE, 7th December 1824.

MY LORD,—I had the honor duly to receive Your Lordship's Despatch of the 24th June 1823, No. 64, in reply to mine of the 7th January preceding, relative to the necessity of augmenting the Salaries of the Assistant Secretary to this Government and of the Sequestrator.

Matters requiring more immediately the attention of His Majesty's Commissioners of Enquiry having (as I understood) prevented those Gentlemen from bringing the subject of the Offices of this Government generally under their consideration and accidental circumstances having, during the last twelve months, thrown the whole Weight of the Business of the Office of the Secretary to Government exclusively on Mr. Brink, I deemed it but just to that Gentleman to address the Enclosure No. 1 to His Majesty's Commissioners, and was honored with the Reply of which No. 2 is a copy.

I do myself the Honor therefore to solicit your Lordship's sanction to the suggestion made by His Majesty's Commis-

sioners relative to the future amount of Mr. Brink's Salary, taking date from the day of Sir R. Plasket's arrival here.

I have &c.

(Signed) CHARLES HENRY SOMERSET.

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[Original.]

*Letter from MAJOR W. C. HOLLOWAY to R. WILMOT  
HORTON, ESQRE.*

STOKE COTTAGE, NEAR DEVONPORT, 7th December 1824.

SIR,—Inclosed I have the honor to transmit to you, agreeably to the intimation contained in your Letter dated 5th ultimo, a Report addressed to Earl Bathurst, showing the present state of the Roads at the Cape of Good Hope, and the improvements proposed by Lord Charles Somerset.

May I be permitted to say that I have used the greatest care in preparing this Statement, and that I have every reason to hope it is correct throughout ; the Memorandums which I have brought from the Colony, on the subjects that are comprised being however but few, I trust to be pardoned should I inadvertently have fallen into any Error. I have &c.

(Signed) W. C. HOLLOWAY.

[Enclosure in the above.]

*Report upon the Roads at the Cape of Good Hope, showing their present state and the advantages to be derived from opening an easy communication into the Interior of the Colony across the Mountains by the line of the Fransch Hoek Kloof, together with the progress which has been made in rendering that Pass practicable.*

*Of the present state of the Roads.*

Although there has been but little skill or industry hitherto bestowed in forming Roads at the Cape of Good Hope, yet the Interior of the Colony does not, except in the passage of the

Mountains and of some of the Rivers, generally offer impediments to the transport of Country produce and other articles, nor to travelling in the waggons used by the Inhabitants. For the surface of the ground usually presents a hard, clayey, ferruginous Earth, into which the Wheels of the Waggons do not sink. It is besides very commonly flat and level; but hilly land, encumbered with stones, sometimes occurs, and occasionally tracts of sand, as well as in a few instances swampy places; there are also other descriptions of ground; seldom however are difficulties of any moment met with, especially as the Drivers of the Waggons are enabled and are accustomed to deviate from the ordinary tracks whenever they see occasion, the Country being for the most part uninclosed. The Rivers after heavy rains are frequently swollen, and are not at such times easily passed, but it is in crossing the Mountains that obstacles of a serious nature are experienced.

Of the Mountains which intersect the Colony, that which obstructs, in the greatest degree, the communications with the Interior, is the Range which runs from False Bay parallel to the Shore of the Atlantic at the distance of about 35 Miles, separating thereby Cape Town from  $\frac{2}{3}$  of the Settlement. The next in difficulty is the Range, which branches off in a direction nearly parallel to the shore of the Southern Ocean, and is denominated the Zwarteberg. Across the Ridge of the Mountains first mentioned, and which are usually called the Hottentot Holland Range, there are only two Passes, by which access to the Interior can be obtained by waggons: one is called Hottentot Holland Kloof, near the Southern extremity of the Chain, and the other about 65 Miles to the Northward, called Roodesand Kloof. There are two intermediate Passes, the Du Toits Kloof, and the Fransch Hoek Kloof, but these hitherto have remained mere Cattle paths. Mention is not here made of some Passes towards the northern Extremity of this Chain of Mountains, as, in respect to the general purpose of Roads into the Interior of the Colony, they lay quite entirely out of the Line.

Roodesand Kloof is much better and easier than Hottentot Holland Kloof, although the Road through the Pass is rugged, the defile itself very narrow, and the Stream of Water at the bottom, called the Klein Berg River, and which is crossed by

the Road, there being no Bridge, is in the Winter Season subject to be much swollen, and to become in consequence rapid and dangerous. But the situation of this Pass is too far to the northward to serve as the Portal to the Interior, for, from the direct line of communication it makes a detour of not less than 60 Miles. It therefore is rarely resorted to, except by Persons proceeding to the Country adjacent.

The Hottentot Holland Kloof, by laying near to the straight line into the Interior, is the Pass generally used by the Colonists, notwithstanding its great difficulty. The Road is first carried up a steepish ascent, the surface of which is alluvial soil formed by degradations from the superior parts of the Mountain. Clayey and slippery, its acclivity is about 1 foot in 6, but when this part of the Kloof is passed, the peculiar pain of the Road commences, 7 feet only is its breadth, it rises 1 foot in 4, is made in the side of the Mountain, on the border of a deep precipice; the difficulty however greatly increases as well as the danger towards the summit, called the Poort, being steeper, having a sharp turn, and being obstructed by large masses of Rock protruding into the Road, in the form of a flight of rough, irregular steps, rendering the footing of the Cattle very insecure, especially in bad Weather. The length of the Pass from bottom to top is  $1\frac{1}{2}$  mile.

In 1822, it was given in evidence before a Commission, by the keeper of the Toll Gate, that the number of Waggon which passed this kloof, in the preceding year, was about 4,500; and that the proportion was 800, which, either in the carriages themselves or in the gear, or Cattle, sustained such damage in the passage, as to occasion a loss of time and an expense in making good the injuries. The full load of a Waggon may be considered about 15 cwt.

It is possible to improve this Pass, especially the lower part of the Road, but to render the Kloof as practicable as the Road through the Fransch Hoek Kloof may be made, if indeed the attempt should prove successful, would require, I conceive, 5 times the amount of expense.

On the route of the Hottentot Holland Kloof, and about 15 miles from the Pass, the Road goes over the How Hoek in two directions, but whichever of these branches is preferred, the Road is steep, rugged and difficult, and the ascent of



the How Hoek Mountain is always dreaded by the Dutch Farmers.

Omitting the enumeration of difficulties of minor consideration, this Report proceeds to state the nature of the ascent from the low lands, on which the Towns of Swellendam and George are situated, to the Lange Kloof, and thence to Uitenhage and the more distant Districts.

At present the Great Eastern Route continued from Hottentot Holland is carried by a Pass near George, called Cradock's Kloof, up the face of the Range of Mountains termed the Zwarte Berg (referred to in page 1). Of the various attempts that have been made to cross these Mountains, the Pass in question is found to be the best, but extremely great are the difficulties of the Road. The ascent is steeper and longer even than that of the Hottentot Holland Kloof, and the turns of the Road are sharper and more obstructed by protruding Rock. But the following particulars of an occurrence, of which I was an Eye-witness, may perhaps convey a juster idea of the nature of the Pass, than any other kind of description in my power to give, could do, they are therefore respectfully adduced, especially as instances of the kind frequently happen.

In 1820, an Engineer Waggon was ordered from Cape Town to Graham's Town, and when about  $\frac{2}{3}$  up the ascent of this, the Cradock Pass, the Road became particularly steep, an entire hour was then employed by two Waggoners in flogging the Oxen that were to draw it, (a 3rd Waggoner goading, shouting, &c., and a fourth person leading) without advancing the Waggon more than 3 or 4 yards, although the oxen were very strong and good, were accustomed to the Kloof, and had been hired in the morning of the day, for the express purpose of taking the Waggon over the Pass. The Owner of the Oxen who was present, at length and in consequence of my representations, sent for an additional team, and the Waggon, by the united efforts of all, viz. 26 oxen, and 6 or 7 men, was then got about  $\frac{1}{2}$  mile further; it was then however upset, broken, and the party retarded 2 days, the time occupied in effecting the repairs. The expence of executing the reparation was considerable, nor was the Waggon ever so good after the accident, as it had been previously.

With regard to the passage of the Rivers, the difficulties chiefly arise, as has been said, by the increase to their streams during the prevalence of the Rainy Season. Permanent Bridges there are none, except in the vicinity of Cape Town, nor can it be hoped that the circumstances of the Colony will admit, at least for a long period, of the expense of their construction generally. There are floating Bridges however on good principles established on two of the largest Rivers, viz. the Breede and the Berg, and there are small rowing boats to assist in crossing some of the others.

There are 7 principal Rivers, the Elephant and the Berg, to the Westward of the Hottentot Holland Range of Mountains and which run into the Atlantic, the remainder, viz. the Breede, the Gauritz, the Camtoos, the Zondag, and the Fish to the Eastward of the said Mountains, and running into the Southern Ocean. As for such as are of inferior note, they are either periodical, or have their streams in Summer dwindled into small Rivulets.

The courses of all the Rivers are comparatively short, and they all have numerous fords. In fact, it may be said that the Rivers of the Colony all partake of the character of Mountain Streams, being liable to be greatly and suddenly swollen by Torrents in Winter, and at other times subsiding into brooks whose sections are very trifling. One considerable difficulty very commonly presents itself to the Waggons notwithstanding when crossing them : this arises from the Banks being steep and high, and from there seldom being proper Roads formed down to the Fords. This inconvenience is one which with little labour might be remedied. But the Farmers of the Country expect to meet with difficulties on their journeys, and do not think of the means, at least but rarely, of overcoming them. Each gets his Waggon over the obstacles that offer as well as he can, and then reflects not on the trouble that the Persons, who may come after him, will be put to, or that he himself will experience on a future occasion.

To the larger Rivers, where floating Bridges or small rowing punts are established, persons are appointed to ferry Waggons and Travellers across. Turnpike Gates are likewise formed on the main Roads, but are limited almost exclusively to the Passes in the Mountains. The Tolls required are very moderate;

out of their proceeds the persons are paid who are employed in repairing the Roads.

None of the Rivers are navigable, except for very short distances near their Mouths, and bars of sand block up their embouchures. No navigable Canals are formed, nor does the Country admit of their being practised.

It may not therefore be irrelevant to remark that the means of Water Communication in the Colony are limited to a few Coasting Vessels. The tonnage of these however amounted in 1821 to 1962 tons ; employed principally between Cape Town and Algoa Bay. This trade was chiefly excited by the arrival of the Settlers from England, their locations being in the District of Albany. But it is greatly to be regretted that the communication is dangerous and precarious ; for the Coast nowhere offers secure Bays or Harbours wherein the Vessels could be sheltered from stress of Weather. The Knysna affords indeed the desired protection, but the access to it is so extremely difficult that no ship would dare to approach it, in apprehension of a storm. Algoa Bay is an open Roadstead ; so are the other Bays along the Southern Shore. Saldanha Bay on the Western Coast is a most excellent Harbour and would be of very great importance to the Colony, if the Country around it did not consist of a tract of deep sand, devoid of wood and water. The attempts hitherto made to procure supplies of fresh water at this Bay have not been attended with the wished for success.

What has been said in the foregoing pages chiefly applies to the parts of the Colony Eastward of the Hottentot Holland Range of Mountains. With respect to the Roads in the Western division, as they lead over a Country which is principally flat, and as they are more numerous, in consequence of the districts being better inhabited, they present fewer obstacles and none but such as may be readily obviated. The tract of Country however near Cape Town, which is called the Cape Flats, and is the Isthmus between Table Bay and False Bay, must be made an exception of, it being a deep, heavy sand over which the draught is extremely painful and toilsome.

The difficulty of it is one of the great Evils under which the Colony labours, as every Waggon and every person coming to, or returning from Cape Town must cross it. It is particularly

fatal to the Cattle belonging to the Waggons from the Interior, they having these extensive sands to traverse at the close of their long and wearisome journeys, and when nearly exhausted by hunger and fatigue. It would be, by no means, a work of time or difficulty to form a good and sound Road across these Sands, from the Eerste River, in a direction from Stellenbosch and the Fransch Hoek, to the Liesbeek River near Cape Town. The service to the Colony, which would be derived from such a communication, would be beyond measure great. The distance would be from 12 to 15 Miles or thereabouts, but underneath the Sand is a sub-stratum, which would furnish proper materials for making the Road, in like manner as has been experienced in the formation of the Road between Cape Town and Simon's Town.

This last-mentioned communication is a very good one, and the traffic upon it is very great. The Road has been made within the last 8 years, and funds for its maintenance, arising from Tolls, are established.

*Of the advantages to be derived from opening an easy communication with the Interior of the Colony, across the Hottentot Holland Range of Mountains by the line of the Fransch Hoek Kloof.*

In order to determine the degree of advantage to be expected to accrue from affording readier means of communication, than at present exist, with the Country lying to the Eastward of the Hottentot Holland Mountains, and which the Colonists designate by the general term of *Overberg*, it becomes necessary to examine particularly the condition of that portion of the Colony, and to compare it with the Remainder.

In extent the Overberg comprises 108,000 square Miles ; in population it numbers about 65,000 persons of all descriptions ; consequently that division of the Cape Settlement is, to the Western part (which last includes Cape Town) in Extent as 9 to 1 ; but in population only as 3 to 2. The relative inferiority of the Overberg, implied by this result, is easily to be accounted for. It arises, in particular, from the following obvious causes, 1st. From large portions of the Overberg being of an arid, barren soil, insufficiently supplied with Water and known by

the name of Karroo-land. 2ndly. From the principal part of the Wealth and Capital of the Colony being vested in the Western division, and Cape Town, the Seat of Government, and place (almost exclusive) of Import and Export. Lastly From the difficulty of transporting the produce of such portions of the Overberg as are the most fertile to a regular and constant Market.

Still however the capabilities of parts of the Overberg are very great. For even rating the quantity of Karroo-land, and of soil little productive, so high as  $\frac{1}{3}$  of the whole, yet there will still remain 21,600 square miles of Country, nearly double the quantity in the Western Division, eminently fit for agriculture and other useful purposes. This proportion would be found most advantageously circumstanced, capable of being irrigated, and the degree of its fertility may be conceived from the circumstance of general belief, that the produce of its good corn lands is in ordinary seasons greater than in Europe.

The relative degree of productiveness between the Overberg and the Western Districts of the Colony may be estimated with tolerable precision, and it is singular that the results are considerably in favor of the former country. The Official Opgaaf Lists—prepared on Oath,—give for the year 1818, the total quantity of the different kinds of grain sown in the Overberg, to that sown in the Western Districts, nearly as 13 to 17; but the quantity reaped 159 to 140. Making the computation in Wheat only, the proportion sown is as 43 to 37, the quantity reaped as 52 to 53.

But the readiest and most undoubted proof that can be adduced to evince the advancing state of the Colony is to note the increase of its Population. The amount (without reckoning the Settlers who arrived in 1820 from England) has doubled within the last 24 years. But it is worthy of much attention that notwithstanding all the disadvantages of the Overberg, and the ignorance and want of comfort exhibited by the Dutch Boors and their Families, the Ratio of the Increase of the Population of that division has been very much greater than that of the western part.

The following Table is given as an Example : it is an abstract from the Official Returns for Graaff Reynet.

In 1804.	District of Graaff Reynet.	1811.	Increase in 7 years.	Total in 1811.
764	Men . . .	1,541	777	White Population, 6,683
575	Women . . .	1,154	579	
950	Boys . . .	2,001	1,051	
917	Girls . . .	1,987	1,070	
2,397	Male Hottentots .	3,057	660	Hottentots 6,366
2,527	Female do. . .	3,309	782	
579	Male Slaves . . .	1,186	607	Slaves 1,970
385	Female do. . .	784	399	
1,766	Draught & Saddle Horses	3,274	1,508	Horses 9,084
3,149	Breeding do. . .	5,810	2,661	Large Cattle, 70,384
9,903	Draught Oxen . .	15,637	5,734	
36,042	Breeding Cattle .	54,747	18,705	
55,597	Goats . . .	107,395	51,798	Small do. 1,401,135
536,634	Sheep . . .	1,293,740	757,106	

and shows the Dutch Colonists and their Slaves to have doubled their numbers in this District in the short space of 7 years, and the Hottentots to have increased by about  $\frac{1}{4}$ .

Commensurate with the increase of Population in the Overberg has been the Establishment of Towns; there have been no less than 4 Drostdies, viz. Worcester, George, Uitenhage, and Graham's Town, and 3 Sub-drostdies, viz. Cradock, Beaufort, and Caledon formed there since 1804, whilst Westward of the Mountains there has only been one Sub-drostdy, Clan William.

It is humbly conceived that the foregoing statements will afford a very sure criterion of the capabilities of the Overberg. To these however it may be added that the demand for labour is very great, and consequently its price high, that the price of the rude produce of the Earth has increased, tho' still the Rent of Land is low; and that the rate of Interest is very high, pecuniary transactions being very common wherein much greater than the legal (6 per cent per annum) rate of Interest is given, and never less than legal Interest is by capitalists listened to: all strong corroborating proofs, it is presumed respectfully, of the advancing state of a new country.

It will have been seen that the condition of the Overberg has progressed to the state of having parts of its population drawn together into several small towns, in which the handicraftsmen are now enabled to carry on their respective callings

with mutual advantage. These Towns of course become small markets, but still it is to Cape Town alone that the husbandman looks for a constant and ready demand for his produce, as well as where alone he can supply his principal wants.

The Government of the Colony accordingly felt that it would be a measure of wisdom to give, if possible, readier means of communication between Cape Town and the Country Districts, and that the time was come to give effect to the calls of the Local Magistracy and wishes of the people in this respect.

Therefore it was desired by the Governor that the Hottentot Holland Range of Mountains, which so principally blocked up the Communication with Cape Town, should be examined, with a view to ascertain which Route could be rendered easiest of access ; and, at the least expense, so improved as to afford a ready and direct passage to the most valuable parts of the Interior, particularly the fine fertile Vale of the Waveren, in which are the Towns of Tulbagh and Worcester, the Valley through which the Breede River takes its course to the sea, the Country called the Bosjesveldt, the Valley of Zonder-end River, &c., &c. It was also directed that the Route, which should be projected, should be one that might be convenient for a communication to the Hex River Kloof, and thence to the further parts of the North : to the Towns of Swellendam and George, to the Country adjacent and beyond ; also to Kogman's Kloof, through which an easy passage should be given to the Congo, Banks of the Oliphants River, and so on in a straight line to the Sunday River and District of Albany, where the English Settlers are chiefly located ; likewise that it might lead to Graaff Reynet, Lange Kloof, &c., in fact that it should cause a Portal to all parts of the Interior.

*Of the Progress made in rendering the Fransch Hoek Kloof practicable.*

Two Commissions were instituted in 1822, for the purpose of making the examination desired by the Governor. They consisted of the Landdrosts of Stellenbosch and Caledon, Principal Members of the Court of Heemraden of the first mentioned Drosty, and myself as the Head of the Engineer Department. Our reports established that fewer difficulties

and more advantages to the proposed measure were offered by the Route of the Fransch Hoek Kloof, than by that of Hottentot Holland, or any of the other Passes.

Lord Charles Somerset in consequence issued directions to the Engineer Department to proceed in forming a proper Road across the Mountain at the point indicated, esteeming it the key to the whole intended line of Road.

A Plan of the Pass was immediately made, the Road traced out, a longitudinal Section taken, and other necessary dispositions entered into. Two Companies of the Royal African Corps were soon afterwards encamped on the site of the proposed Work, and ordered to give their assistance in helping forward the undertaking.

It may not be improper for me now to state, that one of the principal reasons which induced Lord Charles Somerset to determine on commencing the Work was the circumstance of His Lordship receiving, at the period in question, Orders from England to hold the Men composing these two Companies of the Royal African Corps in readiness to embark for Sierra Leone. For it was an object of some consequence, and the subject of some consideration to find a place, where this body of men, whose habits were so irregular and cases so desperate, could be stationed, and be prevented from committing violence and depredation on the Inhabitants, at the same time be within a convenient distance of the point of embarkation, till the arrival of the Transports. The Encampment at the Fransch Hoek, and the employment there provided for them, just answered the desired Ends. And instead of a bane, they have rendered most useful Service, for by their aid, and in addition of a Detachment from the Line, the formation of a most difficult piece of Road, (which without Military assistance could not have been carried into execution) has been effected.

The Pass of the Fransch Hoek, heretofore so rugged and impassable, is now therefore made an excellent Road, broad enough for 2 Waggon. It has been accomplished by filling up hollows, scarping Rocks on the Mountain-side, building Walls on the lower side, and bringing the whole into regular ascents and descents, in an easily winding course. The acclivity is for the most part not more than 1 foot in 15, and the steepest place, and that only for a few yards in length, does not exceed



1 foot in 7. The whole length of the Road through the Pass, from the bottom of the Mountains on one side to the bottom on the other, passing over the Ridge a little exceeds 6 miles. Perhaps the way which the Dutch Farmers take to convey intelligence of the Work to their distant Friends, and to show the facility afforded for passing this dreaded Range of Mountains, may be aptly stated: viz. galloping their horses at full speed up and down the steepest parts of the Road, without difficulty or accident. The Inhabitants interested in the subject have expressed great satisfaction at the Undertaking, and the Governor, the first Commissioner of Inquiry, Mr. Bigge, the Court of Landdrost and Heemraden of Stellenbosch, have severally written to me to express their approbation of the manner in which the service has been executed.

The only part of the Work remaining unperformed is the construction of two Bridges, the length of which together does not exceed 86 feet, macadamizing some little portion of the Surface of the Road, &c.

With regard to the Expense which has been incurred in execution of the Service, the gross amount, up to the 24th May last, was £3,830 15s. 9d. Sterling. This Sum includes the price of the Timber to be employed in the Bridges, and also the expense of erecting temporary huts required by the Troops during the continuance of the work. But as these latter have been proposed by Lord Charles Somerset to be sold by public auction, and considered capable of bringing (were a few Acres of the adjacent unappropriated Land annexed) about £800, an amount equal to that sum is to be deducted.

The result gives a Total somewhat higher indeed than the original Estimate, but the cause of the Excess is obvious. It had been at first supposed, by the Act of the Commission, that an alteration of the old Road through the Pass would have sufficed, and the Estimate was framed accordingly, but it became clear that the line of the old Road was carried up the Mountain in an injudicious manner, and that its defects, tho' they could be palliated, yet could not be overcome; therefore as the proposed new line, (the merit of which consisted in winding gradually round the sides of the mountain, instead of going straight up its faces) offered very superior advantages, the old line was abandoned, and the new one fixed upon by

the Governor. The change caused indeed a great increase of work, and included a necessity for employing civil Artificers, at high rates of wages, but produced public benefits of the happiest description.

The total estimated sum now required for completing the Bridges and Road over this Kloof in the superior manner in which the service has been commenced, and also for forming sufficient drains, &c., to preserve the work from being injured by Torrents of Rain, is about £2,400 Sterling.

When once the Road shall have been completed, it will of course be kept in repair by the proceeds of the Tolls which will be established, and which will be amply sufficient for the purpose.

#### *Conclusion.*

The Inferences which, it is presumed, may be drawn from the Statements contained in this Report, are the following, viz. :—

1st. That the present Roads over the Interior generally of the Colony are for the most part good, and do not oppose serious obstacles to the transport of Country produce &c. except in the passage of the Mountains.

2ndly. That the Route proposed over the Hottentot Holland Range of Mountains by the Fransch Hoek Kloof is calculated to obviate the principal existing difficulties, as it will afford the means of communication between the Capital (Cape Town) and the Country Districts without the necessity of passing the Hottentot Holland or other dangerous Kloofs.

3rdly. That the condition of the Colony is, notwithstanding its disadvantages, one which is considerably advancing in prosperity (and the fertile parts of the portion termed the Overberg in particular). That to give facilities for transport across the Mountains therefore would remove one of the chief Evils under which the Country labours; and that such a measure would undoubtedly excite a stimulus to the exertions of the colonists, from which results must arise that could not fail to be conducive mainly to the well being of the Community.

4thly. That the Route proposed by the Fransch Hoek Kloof will be convenient, of easy draught, central, and but

little incommoded by Rivers ; and that it may be effected at less expense than an equally good communication could be formed in any other direction. Also that the Expense has been very greatly lessened, by the employment of Military working parties, and especially by the assistance afforded by the two companies of the Royal African Corps embodied in the Colony.

5thly. That the communication by the Fransch Hoek Kloof will be very beneficial to the Interests of the British Settlers located in the Albany District, particularly in the Event of the Route being carried through the Kogman's Kloof, for thereby the Cradock Pass will be avoided and the distance to their Establishments reduced.

6thly. That the assistance of Government will only be required in the formation of the Road, as the Funds arising from the Tolls to be levied upon it will give an abundant Revenue whence to maintain it afterwards in good order.

7thly. That the present great difficulty of the Cape Flats may be avoided by the formation of an excellent Road across that sandy Isthmus ; and that the adoption of the design is to be greatly recommended, as it would not only communicate with the Fransch Hoek Road and thence lead to all parts of the Overberg, but would also render most essential service to the community established in the other Districts of the Colony.

8thly. That the estimated expense of the whole communication, proposed by Lord Charles Somerset and remaining unprovided for, is, for completing the Bridges, drains, &c., of the Fransch Hoek Kloof Road £2,400, and for forming the Road over the Cape Flats, and through the Kogman's Kloof about £3,000, thereby bringing this grand and extensive work (supposing assistance from the Military to be granted) within the sum of £6,000.

Lastly. That by the work proposed, the distance between the capital and remote Provinces will not only be shortened, but the produce of all the Country Districts be brought to Market by much inferior means, at less expense and in less time than at present ; and that by removing, as projected, the difficulties of the Kloofs, and in facilitating the passage of the Rivers, there will be sustained, by the Inhabitants at large, less loss of cattle, less injuries to Waggons and goods, less

inconvenience, &c., &c. Also that an ample Return for the amount of the Capital expended will be derived. That the Wine and other produce of the Districts of Stellenbosch, Drakenstein, Paarl, &c., will be conducted readily to the Capital. And in fine, that the proposed Road will give a feature to the Country so new, so interesting, so unexpected, and at the same time so very advantageous, that, seeing the total absence and impossibility of internal water communication, and the precarious nature of the coasting Trade, it is deemed that the accomplishment of the measure would render one of the greatest public benefits which it is possible for the Colony to receive.

(Signed) W. C. HOLLOWAY, Major R. Engineers.

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[Original.]

*Letter from MR. THOMAS WILLSON to EARL BATHURST.*

STOCKWELL, 7 December 1824.

MY LORD,—It will, I trust, be obvious to your Lordship that it is very far from my disposition to intrude unnecessarily, but the peculiar situation in which I am placed by this most aggravating and vexatious arrest leads me once more to request the honor of an Interview !

On looking over the minutes of our proceedings at the Cape, I believe that I am in error in stating that my Ledger was exhibited to Sir Rufane Donkin. I read as follows : “The Landdrost (— Stoll Esq.) having investigated my Accounts expressed himself perfectly satisfied that I was fully acquitted of every claim which my followers had, or could set up against me, as the Head of the party, as their several receipts signed by each Individual, was final, and a legal discharge of all claims upon me, as far as I had received funds for their reimbursement. He (the Landdrost) congratulated me upon being armed with so essential a document, adding but for that book (my Ledger) I must evidently have been ruined by such a party. The Landdrost then requested that I would oblige him with the loan of the said book that he might show it to the Government,

which he said would effectually prevent a repetition of such a malicious attempt to harass me in future. To this proposal I cheerfully acceded, and the Landdrost having shewn it to the Authorities he very politely returned the Book to me, adding that I might rest assured it was the *last time* I should be annoyed by my followers." I relate this occurrence to Your Lordship, because I am doubtful whether Sir Rufane Donkin had at that time returned from the frontier.

His Majesty's Government cannot fail at length to perceive the very mortifying and distressing situation that I have been plunged in by these most harassing arrests, which equally annoy every branch of my family, let the result be what it may! therefore I anxiously look for Your Lordship's reply to my last two letters! I have &c.

(Signed) THOS. WILLSON.

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[Original.]

*Letter from the SECRETARY TO GOVERNMENT to R. WILMOT HORTON, ESQRE.*

COLONIAL OFFICE,  
CAPE OF GOOD HOPE, 8th December 1824.

SIR,—With reference to Earl Bathurst's Letter to His Excellency the Governor under date the 26th July 1823, and the Inclosed Instructions to the Treasury, detailing the conditions under which Mr. Ingram and his party were to be assisted by Government in coming out to this Colony, I have to request that you will be good enough to forward to me, for His Excellency's information and guidance, a legalised Copy of the Bond entered into with the Treasury by Mr. Ingram, as alluded to in Earl Bathurst's Instructions before mentioned, as that document has not as yet been transmitted to this Government. I have &c.

(Signed) RICH'D. PLASKET, Sec. to Government.

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[Copy.]

*Letter from the COMMISSIONERS OF ENQUIRY to LIEUTENANT COLONEL BIRD.*

CAPE TOWN, 8th December 1824.

SIR,—Having received a representation from Lieut. Charles Griffiths, who conducted a party of Settlers to this colony with the emigration of 1819, and who was induced to settle at the Zonder End River in the Zwellendam District, upon an Estate purchased from Mr. Albertyn, we deem it just to you, as your name has been mentioned in it, and previously to instituting further enquiries upon the subject, to transmit this document with a request that you will favor us with your explanation of the circumstances that induced the Local Government to project the Settlement of his party upon the Estate in question, involving, as it did, the purchase of that Estate (40,000 Guilders) which has been represented to us on other authority than that of Mr. Griffiths to have been considerably beyond its actual value, and which estate moreover proved to be so inadequate to the subsistence of the party that was settled upon it. We deem it also proper to apprise you that we received a complaint soon after our arrival in the colony from Mr. P. M. Morkel, stating the resumption of the best portion of his Estate, that was contiguous, in order to attach it to the farm purchased from Albertyn, to be disposed of to Mr. Griffiths, that he had been an undisturbed possessor of the Land for seven years, and that subsequent to Mr. Griffiths' abandonment of the place it had been allowed to remain uncultivated and neglected. The extent of Land taken from him, he represented to be about 1200 Morgen.

We enclose an Extract of Mr. Morkel's letter to us, which included some other complaints to us respecting his Lands. We pursued some enquiries upon the subject previous to our departure from Cape Town in the last year, and from the result we were led to infer that Sir Rufane Donkin, who visited the place, had shewn himself favorably disposed to admit the reoccupation of the Land by Morkel, but as it was strongly objected to by you, his Claim either remained in suspense, or was finally rejected.

We take this opportunity also of requesting your explanation upon this point, connected as it is with the subject of the representation made to us by Mr. Griffiths. We have &c.

(Signed) JOHN THOMAS BIGGE,  
W. M. G. COLEBROOKE.

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[Copy.]

*Letter from the Deputy Landdrost of Cradock to the  
Landdrost of Graaff Reinet.*

CRADOCK, 8th December 1824.

SIR,—In reference to the report of Field Cornet Van der Nest, dated 14th November, and your letter of the 25th on the subject thereof I have now the honor to acquaint you, that I have this day enquired into the circumstances detailed in said report, and in forwarding the Statements made by the people present at the time, I beg in justice to the Field Cornet to mention, that he had been for a considerable time previous to the occurrence greatly irritated by Caffre depredations, and harassed in his person, and injured by them in his property, and that he had reason at the time to expect an attack from them, though at the same time I must admit that nothing contained in the information given to me, could in my opinion justify the Field Cornet in the rash and inconsiderate act committed by him. I have &c.

(Signed) WILLIAM MACKAY.

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[Office Copy.]

*Letter from R. W. HORTON, ESQRE., to LORD CHARLES  
SOMERSET.*

DOWNING STREET, LONDON, 9th December 1824.

MY LORD,—I am directed by the Earl Bathurst to transmit herewith for Your Excellency's consideration a copy of a Memorial which has been received from Mr. James Saunders

King the individual respecting whom his Lordship had occasion to write to your Excellency on the 23rd of September last ; and as Mr. King will have the honor of delivering this letter to your Excellency, I am to express his Lordship's wish that you will give him an opportunity of explaining his views.

I have &c.

(Signed) R. W. HORTON.

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[Copy.]

*Letter from the SECRETARY TO GOVERNMENT to the REVEREND WILLIAM GEARY.*

COLONIAL OFFICE, 9th December 1824.

SIR,—In reply to your Letter of the 3rd Instant addressed to His Excellency the Governor, I am directed by His Excellency to acquaint you that he has already infringed upon the Local regulations of Government in your favor, by ordering the amount of the Vendue Roll in your possession for 9228 Rds. to be cashed by the Bank in Cape Town ; and His Excellency did this with the sole view of enabling you (according to your own statement, as contained in your letter to him of the 26th ulto.) to avail yourself of a Conveyance to England in a vessel now under despatch.

His Excellency has already stated to you his inability to grant any allowance to you for your passage home ; nor can he sanction any advance in the way of Loan for such a purpose, unless indeed it be upon a solemn declaration made by you in writing that you are utterly destitute of means, direct, or indirect, of paying for your passage to England, in which case His Excellency will so far take upon himself to aid the return of yourself and family to England as to give a Bill on the Colonial Agent to the Captain of the Vessel with whom you may engage for your passage, in a Sum not exceeding one Hundred Pounds Sterling, on your depositing in this Office your personal bond to pay the same within 2 months after your Arrival in England. I have &c.

(Signed) RICHARD PLASKET.



[Copy.]

*Letter from the* REVEREND WILLIAM GEARY *to the* SECRETARY  
TO GOVERNMENT.

MORRISON'S HOTEL, 9th December 1824.

SIR,—I have the honor to acknowledge your letter of the present date, in reply to mine soliciting a free passage for my family and self to England, or in case that request could not be granted, that His Excellency would be graciously pleased to accommodate me with a Loan adequate to such expense, and I beg leave to express to His Excellency my sincere thanks for consenting to furnish me with the Loan of a Sum which I have no doubt His Excellency *believes* will suffice for removing me to England. I am very willing to make oath that (to quote your Letter of this morning) “I am utterly destitute of means, direct or indirect, of paying for my passage to England,” and confident that His Excellency would never require from me a solemn declaration in writing to that effect without firmly believing that the Loan of One Hundred Pounds (which His Lordship has the kindness to say he will advance) is adequate to such expence, I beg leave to enclose for the information of His Excellency the following Bill of Charges from Mr. Findlay, the Owner of the *Alacrity*, which you will perceive amounts to £170. You did me the honor, Sir, of declaring to me your opinion that altho’ a Hundred pounds would not procure for me that *style* of accommodation which I would Chuse for Mrs. Geary, yet that it would *very well* take me and my family to England. If, Sir, I chose to subject Mrs. Geary (now in a most delicate state of health) to the necessity of living on damaged provisions, and to sleep in the same place as common Sailors, less than £170 would certainly suffice, and in stating this, I am but quoting the words of Mr. Findlay, the Owner of the Vessel. But even if my 2 youngest Babes were not in the sickly and reduced state to which a severe course of illness has subjected them, and Mrs. Geary no longer an invalid, I should accuse myself of brutality if I even wished her, tho’ for the advantage of getting to England, to put up with *such* fare and *such* accommodation! and I am persuaded, Sir, if you will but take the trouble of making a few inquiries respecting

the expense of a passage to England, you will feel satisfied that you have been led into a mistake on this subject.

I therefore most respectfully renew my solicitations to His Excellency for no further a Grant than is necessary to procure us a passage on the terms which His Lordship has specified, namely "depositing in the Colonial Office my personal bond to defray this Loan to the Colonial Agent within two months after my arrival in England." For further evidence as to the paucity of my means, I take the liberty of referring you to Mr. J. D. Jackson, No. 1 Grave Street, the gentleman employed to settle with my Creditors. He will satisfy you as to the truth of the above statement, by submitting to your inspection every item of my disbursement. I have &c.

(Signed) WILLIAM GEARY.

Mr. Findlay, the owner of the Vessel, has assured me that the *Alacrity* will positively sail on Wednesday, and would ere this have been on her passage had there not been some legal impediments (now removed) arising out of the nature of a part of her Cargo.

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[Copy.]

*Letter from the SECRETARY TO GOVERNMENT to the  
REVEREND WILLIAM GEARY.*

COLONIAL OFFICE, 9th December 1824.

SIR,—Having submitted to the Governor your Letter of this day's date I am directed by His Excellency to acquaint you that He does not feel Himself authorised to afford you any other assistance than what has been already offered to you in my Letter of this Morning. I have &c.

(Signed) RICHD. PLASKET, Secretary to Government.

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[Original.]

*Letter from LORD CHARLES SOMERSET to EARL BATHURST.*

CAPE OF GOOD HOPE, 10 December 1824.

MY LORD,—I have the Honor to solicit your Lordship's approbation of a trifling encrease in the Post office Department here arising from the necessity of adding a Post Carrier for the Conveyance of the Mail through the District of Worcester from the 1st of September last. The expence is not more than one hundred and Eight Rixdollars (or about £7 15s. Sterling) per annum.

Your Lordship will oblige me by causing your sanction hereof to be notified to the Commissioners for auditing Colonial Accounts. I have &c.

(Signed) CHARLES HENRY SOMERSET.

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[Original.]

*Letter from LORD CHARLES SOMERSET to EARL BATHURST.*

CAPE OF GOOD HOPE, 10 December 1824.

MY LORD,—Having considered it expedient to establish a Court at Simon's Town for the cognizance of minor Criminal and Civil Cases, and to order that the Judicial Acts and Proceedings brought before it shall be conducted in the English Language, the Population in that Residency consisting almost exclusively of British born Subjects, I have the honor to acquaint your Lordship that it has become necessary to appoint an additional Clerk in the office of the Secretary, whose Duty will consequently be much increased. I have therefore selected Mr. F. Goodwin Junior to that situation with a Salary of Four hundred Rixdollars per annum (about £28 10s. Sterling) which I hope will meet with your Lordship's approbation,

and I beg you will communicate the same to the auditors of Colonial Accounts. I have &c.

(Signed) CHARLES HENRY SOMERSET.

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[Original.]

*Letter from LORD CHARLES SOMERSET to EARL BATHURST.*

CAPE OF GOOD HOPE, 10th December 1824.

MY LORD,—I have the honor, in obedience to His Majesty's Pleasure signified to me in Your Lordship's Despatch of the 20th July 1823, No. 71, to transmit, agreeably to a Resolution of the House of Commons, a Return of the Government Slaves here, and a Statement of the Expences that have been incurred for their maintenance from the 1st of January 1815.

With reference however to the last account called for in the Resolution of the House of Commons which accompanied your Lordship's Despatch, I have the honor to inform Your Lordship that no Slaves in this Colony have ever become the Property of the Crown by escheat. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Enclosure in the above.]  
*Return of Government Slaves above the age of 20 years.—Males.*

No.	Name.	Age.	Country.	Employment.
1	April .	About 36 years	Mozambique	Stable Boy
2	Alexander .	" 33 "	do.	Garden Boy
3	Anthony (1st)	" 53 "	do.	do.
4	Anthony (2nd)	" 35 "	do.	Blind
5	Amorie .	" 57 "	Madagascar .	Invalid
6	Anthon .	" 47 "	Mozambique	Cook
7	Bensara .	" 60 "	Madagascar	Invalid
8	Caesar .	" 41 "	Mozambique	Executioner
9	Camboer .	" 47 "	do.	Scavenger
10	Cutoe .	" 48 "	do.	Grave Digger
11	Daniel .	" 28 "	This Colony	Stable Boy
12	Friday .	" 40 "	Mozambique	Blacksmith
13	Gert .	" 24 "	This Colony	Stable Boy
14	Hendrik .	" 37 "	do.	Garden Boy
15	January (1st)	" 50 "	Mozambique	Kitchen Boy
16	Johannes (1st)	" 35 "	This Colony	Corporal
17	John .	" 28 "	do.	Garden Boy
18	Jurie .	" 60 "	Madagascar .	do.
19	Joakie .	" 52 "	Mozambique	do.
20	Jack .	" 45 "	do.	do.
21	January (2nd)	" 67 "	Madagascar .	Invalid
22	Johannes (2nd)	" 70 "	This Colony	Blind
23	Jaap .	" 36 "	do.	Carpenter
24	Kandambo	" 52 "	Mozambique	Garden Boy
25	Kekeweale	" 49 "	do.	Commissariat
26	Ketowe .	" 57 "	do.	do.
27	Komuholo	" 57 "	do.	Cow Boy
28	Kupido .	" 53 "	do.	Scavenger

[illegible]

*Return of Government Slaves under the age of 20 years.—Males.*

No.	Name.	Age.	Country.	Employment.
1	Tunnamodie	16 years	This Colony	House Boy
2	Henry	12 "	do.	do.
3	Nicolas	13 "	do.	do.
4	Michael	9 "	do.	School Boy
5	James	10 "	do.	do.
6	Edmund	9 "	do.	do.
7	George	6 "	do.	do.
8	Jacob	4 "	do.	do.
9	Peter	6 "	do.	do.
10	Robert	12 "	do.	do.
11	Richard	6 "	do.	do.
12	William	4 "	do.	do.
13	Samuel	1 "	do.	do.
14	David	4 months	do.	Suckling do.

## Return of Government Slaves above the age of 20 years.—Females.

No.	Name.	Age.	Country.	Occupation.
1	Anyovana .	48 years .	Mozambique	House Girl
2	Catryn .	33 " .	This Colony	do.
3	Cornelia .	34 " .	do.	do.
4	Elizabeth .	24 " .	do.	do.
5	Elsie .	21 " .	do.	do.
6	Eva .	73 " .	do.	Invalid
7	Ekie .	47 " .	do.	do.
8	Hannoenie .	55 " .	Mozambique	Garden Girl
9	Hendriana (1st) .	44 " .	Madagascar .	Nurse
10	Hendriana (2nd)	50 " .	This Colony	Invalid
11	Howella .	60 " .	do.	do.
12	Johanna .	34 " .	Madagascar .	House Girl
13	Jacoba .	32 " .	This Colony	do.
14	Kelandro .	56 " .	do.	do.
15	Konolalie .	53 " .	Madagascar .	do.
16	Lucia .	46 " .	Mozambique	do.
17	Selekane .	47 " .	do.	do.
18	Mary (1st)	46 " .	This Colony	do.
19	Motarie .	60 " .	Madagascar	Garden Girl
20	Manahyntze .	50 " .	Mozambique	do.
21	Masendia .	46 " .	Madagascar .	do.
22	Marama .	58 " .	do.	do.
23	Mina .	56 " .	This Colony	Invalid
24	Mary (2nd)	53 " .	do.	Lame
25	Mary (3rd)	53 " .	do.	Attending Sick
26	Maria .	74 " .	do.	Invalid
27	Makitta .	43 " .	Mozambique	House Girl
28	Manathea .	46 " .	do.	do.
29	Setta .	26 " .	This Colony	do.
30	Sanna .	26 " .	do.	Garden Girl
31	Kinnesarie .	60 " .	Madagascar .	Invalid
32	Tima .	60 " .	do.	do.
33	Wonals .	50 " .	do.	do.
34	Wilhelmina	36 " .	This Colony	Nursing



## Return of Government Slaves under the age of 20 years.—Females.

No.	Name.	Age.	Country.	Employment.
1	Elizabeth	15 years .	This Colony	House Girl
2	Jannette	15 "	do.	do.
3	Leintje	17 "	do.	do.
4	Anna	10 "	do.	School Girl
5	Abigail	6 "	do.	do.
6	Christina	7 "	do.	do.
7	Dorothea	14 "	do.	do.
8	Francina	6 "	do.	do.
9	Wilhelmina	3 "	do.	do.
10	Louisa	6 months	do.	Suckling
11	Clara .	3 "	do.	do.

## GENERAL STATEMENT.

Males above 20 years	.	.	.	.	.	.	63
Females above 20 years	.	.	.	.	.	.	34
Males under 20 years	.	.	.	.	.	.	14
Females under 20 years	.	.	.	.	.	.	11
Total	.	.	.	.	.	.	122

(Signed) W. H. BAULOOMB,  
Director of the Government Slave Lodge.

*Statement of the Expenses incurred for the maintenance of the Government Slaves at the  
Cape of Good Hope from 1st January 1815 to 31st December 1823.*

Period.	Amount in Cape Currency.			Average Rate of Exchange.	Amount in Sterling Money.		
	Rds.	shs.	sts.		£	s.	d.
During the year 1815	.	.	.	—	2,218	5	3
" 1816	.	.	4	—	2,051	1	4
" 1817	.	.	3	—	1,920	19	11
" 1818	.	.	5	—	2,043	4	2
" 1819	.	.	5	—	2,552	11	9
" 1820	.	.	2	—	2,211	8	0
" 1821	.	.	1	—	2,417	2	10
" 1822	.	.	2	—	2,338	5	1
" 1823	.	.	0	—	1,650	12	9
TOTAL Rds.	.	.	0	13 Rds. per £ sterling	£19,403	11	1

[Original.]

*Letter from LORD CHARLES SOMERSET to EARL BATHURST.*

CAPE OF GOOD HOPE, 10 December 1824.

MY LORD,—In consequence of the inconvenience experienced by the want of a Public Executioner in the Worcester District, there being only one Person serving that office in the Interior Provinces whose attendance therefore is difficult to be procured on any emergency, I have considered it absolutely necessary to attach an Executioner to that District, and have assigned him an allowance of Twelve Rixdollars (about Seventeen Shillings Sterling) per mensem. To this trifling and unavoidable expence I must solicit your Lordship's sanction, begging your Lordship, at the same time, to do me the favour of signifying it to the Colonial Audit Office. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Original.]

*Letter from LORD CHARLES SOMERSET to EARL BATHURST.*

CAPE OF GOOD HOPE, 10th December 1824.

MY LORD,—I have the honor to transmit to your Lordship, a correspondence which has taken place between this Government and the Revd. Wm. Geary, by which Your Lordship will perceive that I have been induced, under the circumstances of the case, to advance the Sum of One hundred Pounds Sterling towards defraying the Expence of the Passage Home of himself and family, and that he has given his personal Bond to repay the same to the Colonial Agent in England within Two Months after his arrival.

I trust your Lordship will approve of what I have done on this occasion, and have the honor to be, &c.

(Signed) CHARLES HENRY SOMERSET.

[Original.]

*Letter from* GEORGE HARRISON, ESQRE., *to* R. WILMOT  
HORTON, ESQRE.

TREASURY CHAMBERS, 10th December 1824.

SIR,—I have it in command from the Lords Commissioners of His Majesty's Treasury to transmit to you a Memorial and its Enclosures from Mr. Cooke of Cape Town in the Cape of Good Hope, complaining of the conduct of Mr. Blair, Collector of the Customs, in regard to a Negroe condemned under the Acts of Parliament for the abolition of the Slave Trade; and I am to acquaint you for the information of the Earl Bathurst that the misconduct of which Mr. Blair, the Collector of the Customs, is accused, appears to be of a very aggravated nature, but it arises out of the execution of Duties for which he is not, strictly speaking, responsible to this Board, the Orders in Council of the 18th March 1818, by which Officers of the Customs were appointed to take charge of the captured and condemned Negroes, having provided that they should conform to such Regulations and Instructions as should be given by any general or special Order of His Majesty in Council, and also that they should transmit to the Secretary of State for the Colonies an annual Report of their Proceedings, to be by Him laid before the Lords of the Privy Council. My Lords have therefore not before them any Documents whatever relative to this part of the Duty of the Officer of the Customs, and consequently they have no means of investigating the truth of the present charges, and unless the Annual Reports transmitted by the Collector of Customs thro' the Secretary of State for the purpose of being laid before the Lords of the Privy Council, should afford to their Lordships of the Privy Council sufficient information to enable them to express an opinion upon the truth of these charges and upon the conduct of the Officer employed to execute the Duties confided to him by the Orders in Council, which from the nature of the complaints My Lords apprehend they would not, they desire to suggest for Lord Bathurst's consideration whether it would not be expedient for him to transmit those Papers to the Governor of the Cape of Good Hope, with directions to Him to investigate these Charges

in such manner as to His Lordship may appear to be most expedient, and in the event of the Governor being of opinion that the Charges are well founded, My Lords would have no difficulty in conveying to Him an authority to suspend Mr. Blair from his situation as Collector of Customs, and to appoint another Person pro tempore to execute the Duties, until their Lordships shall have been favoured with the opinion of the Lords of the Council as to the steps it may be proper for them to take in consequence of the Report which may be made by the Governor, and they request you will move the Earl Bathurst to favour My Lords with a Statement of the directions he may give upon this subject in order that they may convey a conditional and qualified authority to Lord Charles Somerset to suspend Mr. Blair. I am &c.

(Signed) GEO. HARRISON.

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[Copy.]

*Memorial of MR. LANCELOT COOKE.*

To the Right Honourable the Lords Commissioners of His Majesty's Treasury.

The Memorial of Lancelot Cooke, of Cape Town, in the Cape of Good Hope, Merchant, Respectfully sheweth,

That by an Act of Parliament made and passed in the forty-seventh year of his late Majesty King George the Third, intituled, "An Act for the Abolition of the Slave Trade," it was enacted, that all subjects or inhabitants of Africa, unlawfully carried or imported as Slaves into his Majesty's colonies, should be seized prosecuted and forfeited, in the like manner and form as goods and merchandizes unlawfully imported; and that after the condemnation thereof, such subjects or inhabitants should be bound as apprentices for a term not exceeding fourteen years, on such conditions as his Majesty, by an Order in Council, might direct or appoint; and it was further enacted, "That any indenture of apprenticeship, duly made and executed by any person or persons to be for that purpose appointed by any such Order in Council, for any time

not exceeding fourteen years, should be of the same force and effect as if the party thereby bound an apprentice had himself or herself, when of full age, upon good consideration, duly executed the same."

And that his Majesty the said King George the Third did, by an Order in Council, afterwards direct that all such subjects or natives of Africa, so seized forfeited and condemned, should be placed out as apprentices by the Collector of Customs.

Also, that in or about the year 1810, the French packet *Le Victor*, trading from St. Denis to Port Louis, being captured by the English brig *Racehorse*, one Jean Ellé was found on board thereof, who stated that he was a free man of colour, a native of Bourbon, employed as a seaman on board such packet, but being unable to speak English or Dutch, and the inhabitants of the Cape ignorant of the patois of Bourbon, he could not make himself understood, and was ultimately placed out as an apprentice by Charles Blair, Esq. the Collector of Customs at this port, and after having served two several masters some years, he was removed by the Collector of Customs, and placed with Mr. Samuel Murray, who hired him to your Memorialist's establishment nearly six years, at the rate of thirty-five rix-dollars per mensem; when at the death of the said Samuel Murray, the said Jean Ellé requested Your Memorialist to permit him to continue in his service, alleging that he had only a very short time to serve of his original apprenticeship; to which Your Memorialist consented, from the good opinion he entertained of the man, acquired during his long and faithful service; and he paid his wages to him, until on or about the 21st day of November last, when he received an order from Mr. Blair, to deliver up Jean Ellé to William Wilberforce Bird, Esq. or his order, accompanied by a Note from the said Mr. Bird, who is the Comptroller of the Customs, requiring the man to be sent to the Custom-house.

That he immediately informed the said Jean Ellé of such demand, and requested him to go there, as desired; but on his representing that he had so long served Your Memorialist with fidelity and industry, and hoped he should not be abandoned at the close of his servitude, Your Memorialist replied, that though he was unwilling to force him away, he could not disobey the peremptory order of the Collector of Customs, and

requested the man to go as desired ; yet he nevertheless refused to do so for some days, until he found he was destined to serve one H. M. Pigou, Esq. the son-in-law of Mr. Wilberforce Bird, the Comptroller of Customs, and that the police were searching to apprehend him for disobedience of orders, when he instantly repaired to the Custom-house.

That a few days before Jean Ellé could be prevailed on to leave the employ of Memorialist and his copartner, Mr. Pigou called at their house, where, witnessing Jean Ellé's reluctance to leave them, he said, if another cook could be recommended to him, he was willing the man should remain where he was ; whereupon, after consulting a gentleman in the law, many years acquainted with the arrangements made by Mr. Blair on similar occasions, Your Memorialist subsequently met Mr. Pigou, and stated that he was willing to meet his proposal, and pay the wages of any cook he might hire ; when, pretending to be offended, he rudely left Your Memorialist without an answer.

That whilst Jean Ellé was waiting at the Custom-house, Your Memorialist, from a wish never to offend or oppose the constituted authorities of His Majesty, and supposing, from the frequent repetition of a similar interference by Mr. Blair, that he was empowered by law to do so, repaired to the Custom-house, where he saw Mr. Blair on horseback, in company with Mr. Wilberforce Bird, and accosted him respectfully, in the presence of Mr. Roberts, the head clerk of the establishment of Memorialist, for the purpose of informing him, that the man's objection to leave his employ was the cause of the trifling delay ; whereupon Mr. Blair, in the most violent, loud and insulting manner, holding up his whip or stick in a threatening attitude, said to Your Memorialist, " Damn you, sir, hold your tongue, or, by God, I'll knock you down—God damn you, sir, don't speak a word, or I'll knock you down—If you had said as much to me as you did to my friend Mr. Pigou, I would have blown your brains out ; damn and blast you, I would, you scoundrel ; " and as he rode away he called Your Memorialist " a damned son of a bitch ; " and Mr. Wilberforce Bird, who was in company with Mr. Blair at the commencement of Your Memorialist's attempt to speak, instantly rode off, the moment he perceived Mr. Blair under the natural influence of

his temper, that he might neither restrain or be called to bear witness of his brother officer's insolence.

That Your Memorialist having no other wish than to receive such an apology as His Excellency the Governor might think fair, complained of this outrage ; when Lord Charles Somerset, ever anxious to discharge his duty with an impartiality befitting the representative of His Majesty, applied to the Collector of Customs ; and, as might have been expected, a person capable of descending to such abusive expressions would be sure to contradict them, Mr. Blair did so, though he pretended to glory in one part of his rudeness, as communicated by his Lordship, with the Enclosure from Mr. Blair.

Your Memorialist humbly submits, that this vain-glorious boast of Mr. Blair's carries its own refutation on its face, for, had Memorialist insulted Mr. Pigou as is pretended, it is clear that he was either able to resent it himself or unworthy the aid of a proxy.

However, as Your Memorialist conceives that the *ipse dixit* of Mr. Blair cannot be set against the oath of himself and Mr. Roberts, he annexes depositions, taken before a notary agreeably to the laws of this colony, and also one of Jean Ellé, on which he confidently appeals to Your Lordships for redress.

Your Memorialist further respectfully submits, that when this man was once placed as an apprentice, the legal right of interference in the Collector of Customs ceased, as in the case of a parish apprentice in England, where the master has a chattel interest that devolves on his executors ; and therefore, as Your servant cannot have been actuated by a sense of duty, he feels it imperious on him to draw Your Lordships' attention to the fact, of his having in the first instance put this man out as an apprentice, he being a sailor-cook, and, as he has always declared, a prisoner of war : If Mr. Blair had been influenced by the benevolent spirit of the Abolition Act (and Jean Ellé had been a Slave in reality) when he found him a man near thirty years of age, so good a cook, and so well able to earn the bread of honest industry, he would have satisfied the law, by placing him in some family for a few months, instead of fourteen years ; but this would not satisfy the necessities or the wishes of Mr. Blair, who acquired consequence and credit by disposing of so



many Slaves of the most unfortunate order ; and if Your Lordships would afford Your protection against the future oppressions of the officers of Customs, several cases should appear before You of Mr. Blair's privity to such contracts as that offered to Mr. Pigou, at which he expressed such indignation ; to contracts even more corrupt ; some, wherein, when persons have pressed him for payment of his debts, he has promised them greater advantages, which have ended in donations of miserable creatures, thus abandoned to those whom he dare not to assail ; sacrifices to his necessities, victims of his oppressive partialities.

Hearing of his insolence to Your Memorialist, several persons in Cape Town, of the greatest respectability, highly indignant at such demeanor, came to Memorialist with accounts of the manner in which he had disposed of Negroes to themselves, and are now ready to make oath of these facts ; but Your Memorialist, unwilling to expose them to the powerful vengeance of the Custom-house, wishes first to obtain an assurance of Your Lordships' protection towards them. The English Senate intended to have been the friend and protector of the wretched Negro ; but in this case it has been the greatest misfortune. Here is a man well able to earn thirty-five rix-dollars per month as a cook, who, on pretence of being taught a business, is bound, by the ruthless cupidity of His Majesty's servants, to serve the most valuable part of his life to the favourites of the Collector of Customs at Cape Town. Had Jean Ellé been a Slave in fact, and remained so after so valuable a portion of his life spent in the service of his master, the law would have compelled that master to support him in his old age ; but here is a man serving the prime of a valuable life for the advantage of those who in old age will desert him to all the miseries of want.

Your Lordships will feel how inconsistent is such conduct with the philanthropy that abolished Slave-dealing.

Your Lordships will feel how wretched is the state of that Slave, who, under the benign indulgence and protection of Mr. Blair, is cursed with liberty at the end of a cruel, abject and unprofitable slavery of fourteen years, left to starve in the decline of life, after having worn away his strength by the goadings of those who have no interest (like the real Slave

proprietor) in well treating these poor people, to make their old age more vigorous.

Your Lordships will feel what sentiment actuated Mr. Blair, when, on a very recent occasion, one William Cousins, who had served him fourteen years, and been a voyage with him to England, on applying for a certificate of the expiration of his apprenticeship, was cruelly told he should never have it, unless he would return to his service.

Your Lordships will feel what is the general tenor of Mr. Blair's character, his humanity, his mildness, and his justice, when you are informed, that this poor man preferred all the horrors of starvation rather than return to a master who had made him so miserable ; and such must have been his fate, so great the terror of the Collector of Customs, had not the benevolence of one of Your Memorialist's acquaintances prompted him, in defiance of the malediction and the denunciations of this great man, to take the poor Negro for his servant.

Your Lordships will feel and appreciate the spirit that urged Mr. Blair, when he saw an unhappy Negro, who had served Your Memorialist, for the benefit of Mr. Saml. Murray, above six years, anxiously soliciting to be continued in the same employ, so callously rejecting every solicitation, although the man becomes free again on the 1st of March next.

Your Lordships will feel whether it was an amiable thing, in a person intrusted with the exercise of His Majesty's benevolence, so relentlessly to separate a master and his servant, whom he saw happy and satisfied in so long a connexion.

And Your Lordships will feel and judge, whether the violence of his language to Memorialist, the indecency of his expression in the letter to the Governor, and the unfairness in his conduct in taking Jean Ellé away from Your Memorialist, in violation of every principle of humanity towards the poor man, merely to supply Mr. Bird's son-in-law with a cook, was befitting him who holds an important trust under the King, in which equanimity of temper, humanity, disinterestedness and benevolence of heart, ought to shine in a superlative degree.

Your Memorialist thinks it due to himself to say, that he is not impelled to this complaint from a desire to oppose the servants of His Majesty, or from a vindictive spirit of revenge,

for, although no one has possessed a warmer or a better spirit of loyalty, or a more forgiving disposition towards those who have injured or insulted him, yet he owes it to his own rank in society, to call from Your Lordships for justice on Mr. Blair, who has thus trampled on all the decencies of life ; and he does this more confidently, knowing that You are most able and most willing to screen gentlemen from the insolence of office.

And he sincerely assures Your Lordships, that whatever may be Your decision, with that decision he will rest most perfectly satisfied.

Wherefore he prays, That Your Lordships will be pleased to cause an inquiry to be made into the conduct of the Collector of Customs towards him, and judge thereon as You may deem meet.

And he will ever pray, &c.

(Signed) LANCELOT COOKE.

*Petition and Memorial of MR. LANCELOT COOKE to the  
RIGHT HONOURABLE THE LORDS COMMISSIONERS OF  
HIS MAJESTY'S TREASURY.*

The Petition and Memorial of Lancelot Cooke, of Cape Town, in the Cape of Good Hope, Merchant, Humbly Showeth,

That Your Petitioner is a native subject of His Majesty, but has resided for several years last past at Cape Town, in the Cape of Good Hope, where he carried on the business of a general merchant, until he left that colony, and came to this country upon the occasion hereinafter mentioned.

That about the year 1817, the establishment of Your Petitioner agreed with one Samuel Murray, of Cape Town aforesaid, for the services of a certain apprentice of him the said Samuel Murray, named Jean Ellé, who in consequence remained in the service of Your Petitioner's establishment about six years, and up to the death of the said Samuel Murray in the early part of the year 1823, at which time the period of his apprenticeship had nearly expired.

That the said Jean Ellé had been on board the French

packet *Le Victor*, when it was captured in the year 1810 by the English brig of war *The Racehorse*, while trading from St. Denis to Port Louis, and was treated as a prize Slave by Charles Blair, Esquire, the Collector of the Customs at Cape Town, and as such was apprenticed to the said Samuel Murray in pursuance of the provisions of an Act passed in the 47th year of the late King George the Third, intituled, "An Act for the Abolition of the Slave Trade," and of an Order in Council of his late Majesty made thereupon.

That the account which the said Jean Ellé afterwards gave of himself was, that he was a free man, a native of Bourbon, and that he was employed as a seaman on board the said French packet, but at the time of his capture he was unable to speak English or Dutch, and the patois of Bourbon not being understood at the Cape, he could not explain his situation, and was treated in consequence as a prize Slave, instead of having conceded to him the rights of a prisoner of war.

That Your Petitioner merely alludes to this account which the said Jean Ellé gave of himself, as tending, together with his good conduct, to give Your Petitioner a greater interest in his welfare, and a desire that he should have such employment and be in such service as was most agreeable to his own wishes.

That on the death of the said Samuel Murray, the said Jean Ellé requested Your Petitioner to permit him to continue in his service, alleging, that he had but a short time of his apprenticeship to serve; to which Your Petitioner consented, from the good opinion he entertained of the said Jean Ellé, acquired during a long and faithful service.

That under this arrangement the said Jean Ellé did continue in the service of Your Petitioner for a period of five months, during which your petitioner paid him wages, and would gladly have continued so to do, but for the interruption hereafter mentioned.

That in November 1823, Your Petitioner received an order from Mr. Blair, to deliver up the said Jean Ellé to William Wilberforce Bird, Esquire, the Comptroller of the Customs, or his order, accompanied by a Note from Mr. Bird, requiring the said Jean Ellé to be sent to the Custom-house (copies of which Order and Note accompany this Petition and Memorial, in the appendix at the foot hereof.)—That the executors or personal

representatives of the said Samuel Murray did not claim the services of the said apprentice, or the benefit of his indentures, but were quite willing that he should remain in the service of Your Petitioner as aforesaid.

That on Your Petitioner informing the said Jean Ellé of the said order or demand, and requesting him to go as directed, the said Jean Ellé expressed the greatest reluctance to leave Your Petitioner, and hoped Your Petitioner would not abandon him at the close of his servitude, which he truly represented had been faithful and industrious ; whereupon Your Petitioner, although extremely desirous to retain an old and faithful servant, stated, that he could not disobey the order, and requested him to go as desired.

That it afterwards turned out, that the services of the said Jean Ellé were required for H. M. Pigou, Esquire, the son-in-law of the said William Wilberforce Bird.

That the reluctance of the said Jean Ellé to go into another service, prevented him from complying with the direction given to him, until he learnt that search was making for him on a charge of disobedience, when he instantly repaired to the Custom-house.

That before the said Jean Ellé left the employ of Your Petitioner, Mr. Pigou called, and became so satisfied of the wish of Jean Ellé to remain, and of the hardship of removing him, that Your Petitioner well hoped that some arrangement would have been made between your Petitioner and the said Mr. Pigou, to that effect ; but when your Petitioner, pursuant to legal advice, offered to pay the wages of any person Mr. Pigou might hire in the situation intended for the said Jean Ellé, the said Mr. Pigou appeared to be offended, and returned no answer to Your Petitioner ; that Your Petitioner thought it his duty respectfully to explain to the said Mr. Blair the occasion of any delay in the transfer of the service of the said Jean Ellé, but in so doing received much personal abuse and offensive language from the said Mr. Blair, as stated in the Memorial hereinafter alluded to.

That Your Petitioner was led to inquire into the right of the said Mr. Blair so to interfere, and was advised, and now submits to Your Lordships, that Mr. Blair had no right to resume any control over the said Jean Ellé, and that his

conduct was not justified by the said Act of Parliament or his late Majesty's Order in Council, or any other sufficient warrant.

That Your Petitioner, anxious for redress, and solicitous to prevent the recurrence of similar conduct, respectfully prepared a Memorial for the purpose of being submitted to Your Lordships, to which he craves leave to refer, in which Memorial he has stated to Your Lordships the circumstance of the case of Jean Ellé with such observations as appeared to him the case called for and justified.

That Your Petitioner, when he transmitted such Memorial to England to be presented to Your Lordships, thought it a proper mark of respect to His Excellency the Governor of the colony, to lay before him a copy of such Memorial and the accompanying papers, in order that His Excellency might take such steps therein, and make such observations thereon, as he might think proper.

That by some means, Daniel Denyssen, the fiscal of the colony, obtained information of such copy having been laid before His Excellency the Governor, and instead of regarding it as an act of candour and fairness towards the party complained of, and of respect and confidence in the protecting care of the government (as alone Your Petitioner meant it) instituted a criminal prosecution for a libel against your Petitioner, together with William Edwards, his professional adviser, and John Bernard Hoffman, who had been employed as the amanuensis to transcribe it.

That the only foundation of any such charge of libel was the said Memorial respectfully appealing to Your Lordships—stating to Your Lordships the ground of complaint Your Petitioner conceived he might justly entertain, and respectfully praying for redress.

That the only publication of such supposed libel, was the communicating to the Governor, in the manner and for the reasons aforesaid, a copy of such Memorial.

That Your Petitioner conceives that it is not only the right, but the duty of every British subject respectfully to lay before the competent tribunal or authorities any ground of complaint he may have, it being as injurious to the character of the government as it is contrary to the interests of the people,

that any just subject of complaint should remain undressed.

That, notwithstanding that Your Petitioner claimed his right to complain to Your Lordships, without such his complaint being treated as a crime, Your Petitioner was prosecuted and brought to trial upon such charge, and ultimately, after being put to the necessity of appealing, Your Petitioner was acquitted.

That Your Petitioner humbly begs leave to submit to Your Lordships a printed Report of the proceedings taken on the said trial, respectfully referring Your Lordships thereto.

That Your Petitioner was not only put to great expense in defending himself in the said prosecution, but has also sustained incalculable loss and injury by reason of his coercive detention in the colony, from the 3rd February to the 26th March last, to abide the event of the above proceedings, Your Petitioner's private concerns at the time requiring his immediate departure from the colony ; and Your Petitioner has been otherwise much harassed by such proceedings against him.

That Your Petitioner, immediately after his acquittal, determined to leave the colony, and repair to England, to lay his case before Your Lordships, and accordingly left the Cape of Good Hope in the month of April 1824, and arrived in this country in the month of June following.

That Your Petitioner most respectfully submits to Your Lordships, that the prosecution instituted against him under the before-mentioned circumstances was in the highest degree illegal, and calculated to (and did) excite the greatest terror and alarm ; that Your Petitioner has the most unbounded confidence in the protecting and impartial authority of the British Government, and is anxious to be secured from a repetition of such injurious treatment as he has already experienced ; that Your Petitioner has no wish to excite faction, or to raise clamour, but that being desirous to return to the colony, he cannot do so without great apprehension, unless Your Lordships shall give him that redress and afford him that protection which as a loyal subject he trusts he is entitled to.

Your Petitioner therefore most humbly prays, That Your Lordships will be pleased to take his case into Your Lordships' consideration, and grant him such redress, and make such

orders as to Your Lordships' wisdom and justice shall seem meet.

And Your Petitioner will ever pray.

(Signed) LANCELOT COOKE.

Signed in the presence of

STWT. P. PEARSE,

Solicitor to the Petitioner, 10 Swithans-lane, 10th December 1824.

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[Copy.]

*Letter from the REVEREND WILLIAM GEARY to the SECRETARY  
TO GOVERNMENT.*

MORRISON'S HOTEL, CAPE TOWN, 10th December 1824.

SIR,—I have the Honor to acknowledge the receipt of your letter of the 9th instant in reply to mine of the same date (soliciting a larger sum than had been acceded to my request), informing me that His Excellency does not feel himself authorised to afford me any other assistance than the loan of one hundred pounds on the condition as stated in your prior letter of the same date, of its being repaid in two months from the time of my arrival in England for conveying thither Mrs. Geary, myself, a female Servant, and 3 children, notwithstanding that in my letter of yesterday was enclosed to you for the information of His Excellency a written declaration of the Captain of the *Alacrity*, stating that his charge for the passage could not be less than £170 Sterling, and being also informed in the said letter that as a further condition for my receiving that assistance His Excellency requires me to state in a solemn declaration made by me in writing that I am utterly destitute of means, direct or indirect, of paying for my passage to England; I have the Honor to inform you that from the circumstance of a Gentleman, who is a perfect Stranger to me, coming forward, unsolicited, and generously offering to make up the deficiency of the Loan, that I am enabled to, and do hereby thankfully accept the offer of His Excellency even on



the terms His Lordship has proposed ; and shall consequently make immediate arrangements for my return to England in the above named Vessel. I have &c.

(Signed) WILLIAM GEARY.

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[Original.]

*Letter from MR. JAMES S. KING to R. W. HORTON, ESQRE.*

| LONDON, December 10th 1824.

SIR,—It is with great reluctance that I presume to trouble you again on the subject of my application to Lord Bathurst, relative to the Bird Islands, but as it would be of very great importance to me to know what probability there was of my being successful in my application that I might make the necessary arrangements for enabling me to carry the business into execution, I trespass once more on your Goodness to request you to inform me if I am likely to succeed, at the same time if there is any impropriety in this request I trust you will excuse it and attribute it to my anxiety to know my real situation.

With my most grateful thanks for the pains you have already taken, I have &c.

(Signed) JAMES S. KING.

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[Original.]

*Letter from HENRY ELLIS, ESQRE., to R. WILMOT HORTON, ESQRE.*

CUSTOM HOUSE, December 11, 1824.

DEAR HORTON,—Allow me to introduce to your notice Mr. Wilton, the Gentleman from whom I received the hint of an intended South African Company to be formed on principles similar to those of the Australian and Canada Companies. Capital is all that is wanted to change the Cape from an expensive Garrison, to a flourishing Colony, and this a Company can

alone supply, Mr. Wilton has been twice at the Cape, has been much engaged in the Cape Trade, and is a man of intelligence and enterprize. I was well acquainted with him during his last stay in the Colony.

I am inclined to think that the Company would start with a very respectable list of Directors. Mr. Wilton is anxious to have an early interview on account of satisfying the expectations of those with whom he has already communicated, in reference to subscribing the required Capital. Truly yours,

(Signed) H. ELLIS.

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[Original.]

*Letter from H. E. RUTHERFOORD, ESQRE., to EARL BATHURST.*

CAPE TOWN, CAPE OF GOOD HOPE, 11 December 1824.

MY LORD,—I have the honor herewith to transmit to your Lordship for the purpose of being submitted to His Majesty the King in Council, a Memorial praying for the extension of the freedom of the Press to His Majesty's Colony of the Cape of Good Hope.

The Memorial lay for signature in the Public Hall of the Commercial Exchange, and in the open shop of Mr. Howell, Bookseller, Cape Town, it is dated 26 May 1824, and has Two Hundred and Eight Signatures affixed to it; copies of the Memorial have been furnished to His Majesty's Commissioners of Inquiry, and to His Excellency the Governor. I have &c.

(Signed) H. E. RUTHERFOORD,  
Secretary of the Committee of Subscribers to the Memorial.

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[Original.]

*Memorial of the London Missionary Society to EARL BATHURST.*

The Memorial of the Directors of the London Missionary Society Humbly sheweth,

That the Missionary Institution at Bethelsdorp, in South

Africa, was originally established by the Society's Missionary, the late Revd. Dr. Vanderkemp, on the recommendation of General Dundas, at that time Governor of the Colony of the Cape, in order to promote the religious instruction and moral and social improvement of some tribes of wandering Hottentots, from whose resentments and connexion with the Caffres, the Colony was suffering.

That without the knowledge of General Dundas, the persons employed to select a place for the proposed settlement fixed upon the most barren spot in the District for that purpose, which was accepted by Dr. Vanderkemp until a more eligible situation should be assigned to him, for which he had the promise of the Colonial Government.

That the reason afterwards assigned for the selection of so unfavourable a spot was, that the Hottentots might be retained in a state of constant dependance on the Farmers for subsistence.

That the Missionaries and located Hottentots at Bethelsdorp, continued to struggle against the natural disadvantages of this barren spot, in the hope that the promise made by the Government to Dr. Vanderkemp would be eventually fulfilled.

That Dr. Vanderkemp after repeated unsuccessful efforts to obtain a more suitable spot for the Institution was in 1811 removed by death.

That during the life of Dr. Vanderkemp, notwithstanding the powerful opposition of those who wished to depress the Hottentots and render them entirely subservient to their own purposes, these people, formerly the terror of the District, became, under the influence of the Missionaries, attached to the British Government, and its active and zealous defenders against the predatory incursions of the Caffres, which character they have maintained since the death of Dr. Vanderkemp, and still continue to render most important services to the District and the Colony at large.

That the Hottentots at Bethelsdorp, in the year 1822 expended upwards of 20,000 Rix Dollars in British Manufactures, and paid Rix Dollars 6,000, being the first instalment, for a Corn Farm on the Chamtoos River, and in the same year produced a saving to the Colonial Government, by the moderate terms of a Contract for transporting Government Stores from Algoa Bay to Graham's Town, of Rix Dollars 22,000.

That in the same year the said Hottentots erected a School House, valued at Rix Dollars 5,000, and, since that period, a building for the comfortable accommodation of 20 destitute and infirm persons, being the first of the kind ever erected in the Colony. That a Blacksmith's shop, the best in the Colony, has been erected, and lately the people have undertaken the construction of a line of Tanks, in the hope of being able to irrigate, and thereby improve, the barren soil on which the village stands. That they are at this time adding to the exports of the Colony, by collecting for exportation considerable quantities of Gum, from the *Mimosa Nilotica* and the inspissated juice of the Aloe.

That notwithstanding the number of Hottentots, which at the recommendation of Sir John Cradock (now Lord Howden) were detached from the Institution at Bethelsdorp to form a new station on the frontiers of the then recently ceded territory of Albany (the Society's present Missionary Institution of Theopolis) the population of Bethelsdorp has quadrupled since the Hottentots were collected under Dr. Vanderkemp and more than 50 of them, worn out either in the service of the Colonial Government or that of the Boors, are now wholly dependant on the alms and charity of their own people.

That notwithstanding these proofs of the active spirit and commendable industry of the people at Bethelsdorp, and the deep suffering to which many of them are unavoidably reduced, the Colonial Government not only refuses to afford relief, but has actually adopted measures which will have the effect of curtailing the scanty means of subsistence to which the Hottentots at that settlement have unhappily been hitherto restricted.

That His Majesty's Commissioners on their visit at Bethelsdorp, in December 1823, observing the inadequacy of the lands to support the cattle belonging to the people of the settlement, recommended the Directing Missionary of the Institution, the Revd. James Kitchingman, to draw up a Memorial praying for a grant of the surplus lands *without* the limits of the Diagram and for any other unoccupied lands in the neighbourhood.

That His Excellency, the Governor of the Colony of the Cape, has refused the prayer of the Petition of the said Directing Missionary for two unoccupied places at some distance from the Institution and for the surplus lands lying between the

lands of the Institution and those of the neighbouring farmers, and has moreover given orders that those surplus lands shall be measured out and given to the neighbouring farmers, which measure will have the effect of depriving the Institution of what it has hitherto enjoyed and lessen the boundaries of a place which was originally much too limited for its first settlers.

That the alienation of these lands from Bethelsdorp by depriving the people of the little water which they have for irrigation, and of a spot on which they chiefly depend for firewood, would prove a most serious and irreparable loss to the people of the Institution and greatly tend to damp their spirits, cripple their exertions, and thus prevent their improvement, and retard that of the Colony at large.

That Dr. Philip on being apprized of the above mentioned intentions addressed a letter to His Excellency, in which he took the liberty to request His Excellency on the supposition that he had determined to carry those intentions into execution, to give the lands in question *conditionally* until your Lordship's decision on the case should be obtained.

That Dr. Philip having waited more than a fortnight without being favoured by His Excellency with any communication in reply to the said letter, deemed it his duty to write to the Directing Missionary at Bethelsdorp instructing him to inform Colonel Cuyler the Landdrost of the District, and the farmers who had requested grants of the said Lands, that the whole affair would be submitted to your Lordship's consideration and decision.

That the facts above stated have been, in conformity, already submitted to your Lordship's attention in a memorial of Dr. Philip, a copy of which, together with copies of certain documents referred to therein, the Treasurer of the Missionary Society had the honor to transmit to your Lordship under the date of 14th of October.

That subsequently your Memorialists have received from Dr. Philip additional documents relating to the surplus and other lands in the vicinity of Bethelsdorp, prayed for on behalf of the Institution in his (Dr. Philip's) Memorial.

That from these it appears that Dr. Philip has received a communication from His Majesty's Commissioners on the subject of a piece of land, situated *within* the Diagram, which

is represented to be covered with Brushwood, and from which it is presumed the Hottentots at Bethelsdorp might be able to supply themselves with fire-wood.

That it appears, however, from the testimony of a respectable Colonist Mr. W. L. Buchenroder, that the Brushwood on the said piece of ground is of a very inferior description, if not altogether useless for the purpose of firewood. A Copy of the Letter of Mr. Buchenroder addressed to Dr. P. containing the said testimony, your Memorialists take the liberty to subjoin.

That the Directing Missionary at Bethelsdorp, in reply to a communication from Col. Cuyler, the Landdrost, on the subject of surveying the surplus lands in question, with a view to their being given away to the neighbouring farmers, took the liberty to apprise the Landdrost of Dr. Philip's application to His Excellency the Governor, praying that, provided he had determined to grant the said lands, as proposed, to the farmers, they might be given *conditionally* until the decision of your Lordship, to whom a memorial would be submitted on the subject, should be obtained.

That Col. Cuyler in answer to this communication informed the Directing missionary that he saw no objection tending to postpone the surveying of the surplus lands, and that he should therefore proceed to survey them, as proposed, and transmit the Diagram to the Colonial Government.

That your memorialists deeply feeling for the Hottentots of Bethelsdorp who by their important services to the Government and to the neighbouring colonists, by their commendable industry in immediate connexion with the Institution to which they belong, by their loyal and peaceable submission to the Colonial laws and regulations, and by their patient endurance of numerous privations and hardships, (as particularly stated in your Petitioners' Memorial of the 26th August 1823), have so powerfully recommended themselves to the paternal care and protection of His Majesty's Government, beg leave most earnestly to entreat your Lordship's compliance with the prayer of Dr. Philip's memorial and that your Lordship will be pleased to take into consideration the urgent necessities of the inhabitants of Bethelsdorp, and to grant for their use, the two unoccupied places, and the surplus lands lying between the lands of the Institution and those of the neighbouring farmers,

as prayed for by the Directing Missionary in his Petition to His Excellency the Governor of the Cape and in the memorial of Dr. Philip addressed to your Lordship under date of the 7th July 1824, in order that this rapidly increasing population may be enabled to support their cattle and to obtain supplies of firewood, and water for the purposes of irrigation &c., and those other advantages, without which this meritorious people will unavoidably suffer such distresses and privations as cannot fail to produce, notwithstanding the utmost efforts of the Missionaries, those consequences to themselves and to the Colony, to which your memorialists have already adverted, and which are so greatly to be deprecated and avoided. And your Memorialists shall &c.

On behalf of the Directors of the London Missionary Society.

(Signed) WM. ALERS HANKEY, Treasurer.

MISSION HOUSE, AUSTIN FRIARS, *December 11th 1824.*

[Annexure 1 to the above.]

CAPE TOWN, *21st August 1824.*

DEAR SIR,—I have perused the enclosed and have to remark, that it is true that in the Diagram of Bethelsdorp there will be found 1435 morgens of land covered with Brushwood, but must add that the Brushwood on the 1435 morgens is of a different description and very inferior, if not altogether useless for the purpose of firewood, consisting mostly of succulent, thorny, and prickly plants, totally unfit for any use, which are so thickly interwoven, that it is impossible to gather the few bushes fit for firewood, which may be interspersed here and there, when on the other hand the brushwood on the ground applied for by the Institution of Bethelsdorp, consists, for the greatest part, of that sort of wood which is capable of being used for firewood. In corroboration of this I beg leave to remark, that great part of the ground belonging to the village of Uitenhage is covered with Brushwood, even of better growth than that on the 1435 morgens belonging to Bethelsdorp, and that the Inhabitants of the Village go for their firewood sometimes the distance of 3, 6 and more miles. That the same inhabitants frequently obtain from the possessors of the neighbouring places, permission to

fetch wood from their places, either as a particular favor or on paying for the same. That my own estate is covered with Brushwood far superior to that on the 1435 morgens belonging to Bethelsdorp, to within a couple of hundred yards from the house, but that I am compelled to send to the distance of one and more miles to collect firewood, and lately, that frequently people from Bethelsdorp have applied to me for permission to fetch firewood from that part of my estate situated in the height altho' they had to ascend and descend again with their waggons the steep and bad road of Saltpans hoogte.

I have &c.

(Signed) W. L. BUCHENRODER.

[Annexure 2 to the above.]

BETHELSDORP, 15th July 1824.

MY DEAR SIR,—I received your letter of the 25th ultimo informing me that you had advised with His Majesty's Commissioners respecting the best method of proceeding relative to obtaining the surplus lands adjoining to the Institution, and also stating that you had already written to Lord Charles Henry Somerset requesting him to reconsider the matter &c. That you may know how the matter is going on here I shall copy a letter which I received from Mr. Lange and also one which I wrote in reply to the Landdrost and his answer to me.

(Signed) JAMES KITCHINGMAN.

To Revd. Dr. Philip.

[Annexure 3 to the above.]

UITENHAGE, 7 July 1824.

SIR,—I beg to notify to you that the Landdrost is of intention to inspect the lands for Thos. Maree situated between his place and the lands allotted to your Institution and that he has appointed Monday morning next, 12th present month, to meet at 10 o'clock at where the under bay road crosses the little Swartkops river, at the end of your old corn land in front of your cattle place, where he hopes to meet you and some of



your people to point out the boundary line of the ground agreeably to the Diagram you possess. The Landdrost begs you to acknowledge the receipt of this letter that he may be assured of your being present. I have &c.

(Signed) J. H. LANGE.

To Mr. Kitchingman.

[Annexure 4 to the above.]

BETHELSDORP, 9 July 1824.

SIR,—I had the honor to receive your order thro' the medium of Mr. J. H. Lange's letter of the 7th Instant informing me that you intend to inspect the Lands of Mr. Maree situate between his place and the Lands measured for this Institution, on Monday next, and I beg to say that agreeable to this order I shall endeavour to be present with some of my people, at the time, place, and for the purpose therein specified. At the same time I beg to state that I have received a letter from the Revd. Dr. J. Philip under date 25th Ult. in which he informs me that he had written to His Excellency the Governor again requesting him to grant the prayer of my Memorial of the 30th March last with respect to surplus lands not included in our Diagram, and should His Excellency be determined to give these Lands away to give them conditionally only, till the decision of Lord Bathurst should be obtained, whom he intends to memorialize should His Excellency not be pleased to grant this request. May I humbly solicit on these accounts that you will have the goodness to postpone this survey. And remain &c.

(Signed) J. KITCHINGMAN.

To Colonel Cuyler, Landdrost of Uitenhage.

[Annexure 5 to the above.]

UITENHAGE, 10th July 1824.

SIR,—I am just honored with the receipt of your letter of yesterday soliciting for reasons you stated to postpone the intended survey of the Lands arranged to be inspected on Monday next. In reply, I have to state, I see no objection

that can tend to my postponing the survey, and to transmit the Diagram thereof to Government. His Excellency will then have it in his power to carry the instructions he has given me into execution or to withhold the grant as it may to him seem meet. I shall therefore go on with the survey and hope to meet you at the place appointed. I have &c.

(Signed) J. G. CUYLER.

To Mr. Kitchingman, Bethelsdorp.

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[Printed Prospectus.]

*Proposal for a General Association of Persons who are desirous to promote the Prosperity of the Colony, by encouraging the Introduction of Labour from Europe, and to secure the community from the inconveniences to which, when injudiciously managed, it has been found liable in every Colony.*

To encourage the introduction of free Labour—To encrease the quantity of our exports by diminishing the expence of production—To alleviate the misery to which emigrants arriving in every Colony are at first exposed—To encourage their industry and promote their moral improvement, and by such means to hasten the maturity of the Colony, are objects of such importance, that no good subject or disinterested and liberal member of the community can look with indifference, on any scheme calculated to promote them.

The following observations containing the outlines of a plan are made public, in order to afford to the respectable part of the community an opportunity of expressing by their signatures their accordance with its views, and their inclination to support its objects by taking young persons into their service as apprentices, and employing the labour of such other emigrants as may be useful to them.

1. It is now evident to every one that the disappointment, misery, and loss, suffered by the greater part of the Settlers in Albany, are only in a subordinate degree to be attributed to any peculiarity in the Soil, Climate, and other circumstances of that district, and were not so much a consequence even of

the failure of three successive Wheat Crops and the scarcity of water, (*altho' from being the most obvious objections to the Colony, they were naturally first remarked*) as of the attempt to plant a new Colony, even in less advantageous circumstances than if it had been totally unconnected with an older establishment :— much privation and misery being inseparable from every attempt of the kind. It is admitted that during the whole period that has elapsed since the settlement of Albany, no perceptible diminution has taken place in the price of labour, altho' it has become more abundant by the dispersion (of) the Settlers and subsequent importations ; that even in Albany the rate of wages given to Artizans and Labourers always was, and still is higher, than in any part of the Colony, with perhaps the single exception of Cape Town ; and that the labouring Classes in every part of the Colony, with the exception of those who were unemployed in Albany, have never been deprived of an abundant subsistence ; irrefragable proofs that those who knew how to employ labour with advantage, and had the means, could always afford to pay a high price for it, and that it was owing to the inexperience of the Settlers in this Colony, rather than to any other cause, that they suffered so severely. It is also known, that a great and increasing demand for labour does still exist in every part of the Colony, and that it is perhaps now the most urgent want of the portion of the Settlers, who have at length succeeded in establishing themselves in Albany.

2. The most valuable description of emigrants are the young, who come into the Colony without any settled prejudices in favor of their former habits, and easily relinquish such of them as are found to be disadvantageous in an infant society. But as disengaging individuals from the checks on their conduct imposed by the presence of their parents, and those with whom they have been brought up, has been found to be attended with injurious effects on the morals of many emigrants, besides being injurious to their employers and the community of which they have become members, it seems proper to encourage particularly, the introduction of whole families, without making it an indispensable condition ; as every means ought to be taken to increase the quantity of labour in the market.

3. It is a well known fact, that for the first two or three

years after European artizans or labourers arrive in this Colony, the instances of their success, in establishing themselves in business on their own account, are comparatively rare, owing, perhaps, less to their want of experience in the soil and climate, than in the effects of the peculiar state of society existing at present in the Colony, but in a great measure, if not altogether, to both these causes conjointly. On the other hand, it must be evident, that those who enter the service of the more experienced colonists, are every day acquiring experience at the expence of those who hire them and direct their operations. It is also well known, that the expence incurred by immigrants whilst acting under false impressions immediately after their arrival, is a source of bitter regret for years to almost every individual who lands in a colony, and is unattended with any adequate advantage to the community. It seems, therefore, the interest not only of the immigrants, but of the society at large, which by encouraging the introduction of labour, proposes to itself the object of raising the largest quantity of produce at the least possible expence, that he should hire himself (until he has acquired experience,) to others in preference to entering into business on his own account. It is also desirable that the immigrant should be protected from imposition, as far as it is possible,—that persons who are unable to pay his wages, should be discouraged from deceiving him with extravagant promises—that no higher wages should be offered to him, than he will actually receive, and that his wages should be rendered as beneficial to him as possible.

4. That a heavy expence has of late fallen on the public, and the greatest misery has been endured by the immigrants from the want of a fund, to which they could look for relief in indigence or in sickness. It seems therefore proper that such a fund should be established on some more permanent foundation, (without, however, rejecting such aids,) than the contributions of the charitable, and that those who *may* become burdensome on the Colony, should from their first earnings in the Colony, contribute to its support.

5. The severest cases of distress yet unrelieved are to be found among the higher ranks of Settlers, who are rendered incapable by their former habits from resorting to the same means of earning a livelihood with the labouring classes, who,

in the worst times, when able to leave their Locations and willing to work, have had that resource. Most of these persons are placed by their feelings beyond the power of relief from a charitable fund and there is nothing that would tend more directly to promote the prosperity of the Settlement in Albany and would give more heartfelt satisfaction to every deserving Member of that community, than the adoption of a measure one of the objects of which, is to secure to them a regular and abundant supply of Free Labour.

6. The Subscribers have witnessed with regret the misery endured by the Settlers altho' liberally supported by Government—the re-action so injurious to the Colony which was produced by such a number being thrown into it suddenly and at a peculiarly unfortunate period, and altho' their opinions are generally unfavourable to any arrangement that confers exclusive privileges on any individual or Company; they consider it to be the interest of humanity in this instance, no less than that of the community at large, that the support of Government should not be generally extended to all who may be inclined to import free Labour, until the Market becomes so extensive that neither any revulsion injurious to the Colony, nor risk to those who embark their prospects in it, can be occasioned, by the most extensive emigrations that can be supposed to take place from the Mother Country.

7. The Subscribers have remarked the injurious effects produced on the conduct and morals of immigrants who have been imported by persons, who trust for any part of their reimbursement to contracts of Service entered into before their embarkation, whilst the immigrant is under the influence of present distress, *and ignorant of the existence of any greater demand for his labour than he enjoys at home.* Coming into a Colony loaded with a debt which he must discharge before he can receive the high price for his labor that is given to every one around him, dissatisfaction and attempts to free himself by unfair means from his engagement are unavoidable consequences; against the risks occasioned by such a feeling no contract however advantageous can secure the Importer. The demand for free Labor has been diminished by this circumstance as well as by the sum which it was necessary to advance to the Importer before the immigrant could be hired, and a

habit of vagabondizing on the part of the Servant and collusive attempts to secure his service on the part of the employer, injurious to the Community, have been superinduced. The Subscribers therefore think that so long as it is the policy of the Mother Country to afford the means of transporting any part of its population to the Colonies, that the persons conveying emigrants at the expence of Government should be prohibited from indemnifying themselves, for any part of their expence, trouble, or risk, by entering into contracts, to secure their personal service, till after their arrival in the Colony.

8. To prevent misunderstanding on the part of the emigrant—to form a fund for his relief in indigence and sickness and to secure the community against his becoming burdensome to it, as well as to secure both to himself and to the Community the full advantage of his labor; the subscribers would recommend an agreement being entered into with every emigrant before he is embarked, binding the importer to provide him with subsistence for one month after his arrival in the Colony to enable him to look about for a suitable situation; and further, in lieu of his labor, with Clothes and subsistence until he is engaged; and obliging the emigrant to hire himself for one year if above eighteen years of age, for two if under that age, and until he shall be eighteen years of age if under sixteen to the person who shall offer him and give security for paying the highest half yearly wages, besides furnishing him with Lodging and a stipulated quantity of Clothes and Provisions, which security he should be bound to deposit in the Bank, with an authority to collect the proceeds and to pay into the fund for the relief of distressed Settlers, if single and above ten years of age 4 Pounds Sterling, If Married 4, For his Wife 3, subject to a reduction on the event of her labour being occupied in the care of a large family of young Children. For every Son or Daughter above 16 years of age 4 Pounds Sterling, Do. Do. under that age and above 10 2. The remainder of his wages as it is paid into the Bank should be placed in the Government savings Bank to his account, there to lay at interest until the period for which he has hired himself shall have expired.

9. His Majesty's Government having in repeated instances evinced its anxiety to promote the objects of emigration to this Colony, it becomes a duty of the community interested in the

success of such liberal views to come forward and express its desire to concur in them, and the subscribers have thought it right to offer, to co-operate in a measure fraught with such beneficial results, to exert their influence to support the interests of every party concerned in any emigration undertaken on the principles laid down in the foregoing proposals and to recommend the association of such public spirited and respectable persons as may wish to give effect to the views of his Majesty's Government, and who may choose to evince that feeling by subscribing their names to this proposal.

10. It is the opinion of the subscribers that a Memorial should be presented to His Excellency the Governor, praying, that he will be pleased to represent to the Right Honorable Earl Bathurst, the Secretary of State for the Colonies, the extreme distress under which a large portion of the inhabitants of this Colony labor, from the want of Mechanical, Agricultural, and menial servants—the extravagant wages paid for the worst description of labor, the impositions to which the Memorialists are compelled to submit from their servants,—the superfluous abundance of the necessaries of life enjoyed by every white servant in the Colony,—the great rapidity with which a late emigration of several hundred servants was absorbed without the least effect being produced on the rate of wages, and also the claims which this Colony has to be treated, in this respect at least, on a footing of equality with Canada; and the strong claim on the justice and liberality of the Mother Country, which the Settlers in Albany and that portion of the Colonists have, who are debarred by Law or prevented by their feelings from possessing themselves of Slave Labor; and that His Excellency will be pleased to represent further, that no contract of service entered into in Europe, can afford sufficient security to any individual or association who may undertake to import Labor at their own expence. It would seem also proper that His Excellency should be entreated to represent to Earl Bathurst, the feelings of gratitude and attachment with which emigrants and future generations of colonists must regard the Mother Country, if when the pressure of an over population ascends to that point, at which, it becomes her interest rather to advance the expence of transport to a surplus, than to continue to support unpro-

ductive Labor ;—if in such circumstances (*without offering a bounty on emigration,*) she steps forward to save them from degradation, misery and vice, and enables them to become good subjects and useful members of the community in her Colonies, instead of those which must be excited in their minds, by allowing them when worn down by poverty, neglect and want, in the country which gave them birth, to barter years of their liberty away, for what a small pecuniary advance would have procured them.

J. Hallier, Printing Office, No. 19 Barrack Street.

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[Copy.]

*Sentence in the Criminal Case of D. DENYSSSEN, ESQRE., His Majesty's Fiscal, Prosecutor for the Crown, versus JOHN CARNALL, Prisoner in said case.*

Whereas it has evidently appeared in an appeal to the Court of Justice

That on the 6th September last certain Thomas Mahony, at that time in the service of William Edwards a convict under sentence of transportation to New South Wales, brought a letter from said Edwards to the prisoner in this case, being Thirty three years of age, Born at sea, by Profession a seaman, and residing at Sussex place in the Cape District, whereby the prisoner was informed that said Edwards was to be sent on Board the ship *Minerva* laying at anchor in Simon's Bay, the following Morning, for the Purpose of being conveyed to New South Wales, and requesting the Prisoner would meet him on his way thither, in order to take leave, with a further request to give said Thos. Mahony a lodging that night at the Prisoner's place, which he accordingly did.

That on the morning of the following day the prisoner gave orders to a certain Hottentot named Cupido who was in his service to remove one of the Horses from the large into the small stable and to give him over to said Thos. Mahony, which having complied with, said Mahony cleaned and saddled the Horse and then fed him with Forage, that he Mahony had



fetches himself from the Halfway House by order of the Prisoner after that the Prisoner had on the same morning of the 17th Sept. sent a note to one William Moore requesting the loan of some Barley or Oats which he said he wanted for a horse that he intended to send that day to Simon's Town, as said Edwards was to pass by his place that Morning, but which Forage said Moore did not send. That said convict Wm. Edwards having been sent on the said morning of the 17th September last from Cape Town for Simon's Bay in a cart with his wife and her sister under charge of one of the under sheriffs and a constable, and having stopped on their arrival at the second Avenue of the Prisoner's Place, the Prisoner and his wife came up to the cart, when said Edwards declaring that he was very unwell and wished to rest himself for a few minutes, he was allowed to get out with his wife and sister in law, with whom he proceeded, followed by the under-sheriff, to the Prisoner's House, accompanied by the Prisoner and his wife, while the constable was left in charge of the cart

That said Edwards on coming to the House, having asked for a cup of tea, while the Tea and Breakfast was getting ready, he and the prisoner at the request of the former to the under-sheriff saying that he wanted to speak to the prisoner on some business walked up and down the Stoep in conversation, being followed all the while by the under-sheriff, who having at last said that his time was getting short, and that he could not wait any longer, said Edwards and the Prisoner then returned into the house.

That having thereupon sat down to the Breakfast-table, the Prisoner asked his wife for the key of the Packhouse, with which having gone out, he called a Female Hottentot in his service named Leentje into one of the out-door Buildings, whence he ordered her to assist him to take a night-chair into the little kitchen, which she having done accordingly, the Prisoner placed the night-chair in the said Apartment, notwithstanding there were Two Necessaries at his place.

That the prisoner in order to give the appearance of some reason for his absence, having returned to the Breakfast table with a bottle of Port wine in his hand, the convict Edwards suddenly started up complaining of pain in his Bowels and pretending that it was absolutely necessary for him to go

Backwards, on which the Prisoner pointed out to him the room where the night-chair was placed immediately in view of the under-sheriff, whither Edwards went pulling the door after him in front of which the under-sheriff stood, till that Edwards remaining a long time without making his appearance, the under-sheriff opened the door, but not seeing Edwards searched round the said apartment where the night-chair was, when he discovered another door through which he found the convict Edwards had made his Escape.

That the under-sheriff after having made strict search at the place of the prisoner for said Edwards, in which the prisoner appeared to be very active, but in vain, at last mounted his horse and took the road to Simon's Town, and having obtained information when he came to the place of Mr. James Richardson at Vischhoek Bay, that Edwards had passed that way on horseback, he thereupon rode further on, accompanied by the under-sheriff of Simon's Town who just happened to be at said Richardson's place, and having continued the pursuit to the other side of the Flag-staff at Muisenburg, they there found the same Horse completely knocked up which had been given that Morning by the above-mentioned Hottentot Cupido by order of the Prisoner to Edwards' Servant said Mahony, and cleaned, fed and saddled by the latter, said Horse having a white spot on the forehead and four white Feet.

That the Escape of William Edwards having been reported to the Fiscal's Office, every possible search was immediately made after him, but at first without success, while in the meantime the prisoner against whom the strongest suspicions were entertained was taken into custody, which was afterwards converted by a decree of the Court into Criminal Imprisonment.

That however early in the Morning of the 20th September the Prisoner's Place having been surrounded by the Police and a detachment of the Military, said Edwards was discovered concealed in one of the upper rooms of the Prisoner's House, on which he was reapprehended and thus again brought into the hands of justice.

And as it therefore appears that the prisoner in this case has been guilty of premeditatedly, wilfully and mala fide, aiding and assisting and in planning and carrying into Execution the escape of the convict Wm. Edwards under sentence of

Transportation out of the hands of the Under-Sheriff under whose charge he was placed in order to be conveyed on Board the convict ship *Minerva* then laying in Simon's Bay, and as such crimes cannot be tolerated in a country where justice prevails, but on the contrary should be rigorously punished as an example to deter others from doing the like :

So it is, that the Court having read and examined the records held in the first instance, having heard the Pleadings on both sides in Appeal and taken everything into consideration which deserved attention or could move the Court, administering justice in the name and on behalf of his Britannic Majesty, condemns the prisoner in this case, and he is hereby condemned accordingly, to be Transported to New South Wales or some other Island beyond the seas under the Dominion of His Majesty for the Term of Five successive years and to be confined at Robben Island or some other secure Place till an opportunity offer for his transportation with rejection of the further claim made by the R. O. Prosecutor and condemnation of the Prisoner in all the costs and Expenses incurred as well in the first instance as in this Appeal.

Thus done and decreed in Appeal by the Court of Justice at the Cape of Good Hope on the 8th November 1824, and pronounced the same day, and after having received the Fiat of his Excellency the Governor and Commander in Chief Promulgated on the 14th December following.

(Signed) J. A. TRUTER,  
W. HIDDINGH,  
WALTER BENTINCK,  
J. H. NEETHLING,  
F. R. BRESLER,  
J. C. FLECK,  
P. J. TRUTER, SR.  
R. ROGERSON.

In my presence (Signed) D. F. BERRANGÉ.

Fiat Executio.

Commuting however the punishment of Transportation to New South Wales to Banishment from this colony for five

successive years, provided he departs from this colony within 8 weeks from this date. December 11th 1824.

(Signed) C. H. SOMERSET.

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[Original.]

*Letter from the COMMISSIONERS OF ENQUIRY to EARL BATHURST.*

CAPE TOWN, 13th December 1824.

MY LORD,—In consequence of a second application that Lord Charles Somerset has made to us, urging our early consideration of an augmentation of Salary to Mr. Brink, the Assistant Secretary in the Colonial Office, and to which we were induced to accede from the peculiar circumstances in which that gentleman was placed on the arrival of Sir Richard Plasket, we have the honor to report to your Lordship the reasons that have occurred to us for recommending that the future salary of Mr. Brink as Assistant Secretary should be fixed at the sum of £600 Sterling per annum. Your Lordship is no doubt aware that the office of Deputy Secretary has existed in this Colony since the commencement of the Government of the Earl of Caledon, and that it continued until the retirement of Mr. Ellis, at a charge upon the Colonial Revenue of £1500 Sterling per annum, varying with the fluctuations of exchange, and which of late years has been extremely unfavourable to the Colony.

It does not appear that any definite or distinct separation of the duties of those offices ever took place, but that during the period in which Lt. Colonel Bird filled the office either of Deputy Secretary in the first instance, or afterwards of Colonial Secretary, the greatest part of the business was transacted by him.

Under these circumstances we are not disposed to believe, that any other benefit was derived from the appointment than that which the Governor enjoyed, of keeping up his official and confidential intercourse with Cape Town during his visits to the Frontier Districts, and of being accompanied thither at the

same time by a person to whom he could refer for information in all matters of antecedent or prospective arrangement.

The advantages arising from this last circumstance we consider to have been considerable, but we think that they will be more amply secured by the division that it is in our contemplation to propose to your Lordship, of the executive Government of the Colony, thus facilitating the performance of the civil duties in each division by abridging their number and extent.

With this view of the arrangement that had already taken place in the business of the Colonial Secretary, and of that which is contemplated for the future, we think that your Lordship will be satisfied that no new appointment of a Deputy Secretary is now or will hereafter become necessary, but as we are aware that until such an arrangement shall be adopted, and perhaps even afterwards, the office of Assistant Secretary is one that is not only necessary but under the present circumstances of Sir Richard Plasket's recent succession to the Colonial Office indispensable to the right understanding, and quick dispatch of the business that must come before him, we have readily acceded to the wish expressed by Lord Charles Somerset of making the consideration of the amount of Mr. Brink's salary a special exception to the cases of other civil Servants of the Colony.

It is perhaps not unknown to your Lordship, that Mr. Brink has served nearly 14 years in the Colonial Office, and that under the superintendence of Lieut. Colonel Bird he has become thoroughly acquainted with all its various and in some respects complicated details. He is a native of the Cape, and with no other or better means of education than those that are afforded by its present imperfect establishments, he has acquired a knowledge of the English Language, and a facility in writing it that forcibly attracted our attention when we first arrived in the Colony, and that we have since found to be not excelled by the acquirements of any of the other civil Servants. This qualification so useful under the present circumstances of the Colony, will be rendered doubly so at the commencement of the following year, when the English language is to be introduced into all public and official acts and writings, that are not of a judicial nature, and when perhaps some considerable

inconvenience may be expected to be felt both by Sir Richard Plasket, who has no acquaintance with the Dutch language, and by the great mass of applicants at the Colonial Office, who are not yet conversant with the English. The ordinary business of that Department has long been conducted by the presentation and transmission of memorials, which are written in the Dutch as well as in the English language, but a great portion of it necessarily consists of personal explanation and intercourse with the native Dutch Inhabitants, who from long habit have been accustomed to regard the Colonial Secretary as the primary and most influential organ of the Colonial Government. With this view of the nature and extent of the duties that must devolve upon Mr. Brink, we feel ourselves justified in stating to your Lordship that his assistance in the office of the Colonial Secretary is most desirable.

His Salary up to the period in which he was appointed by Lord Charles Somerset to perform the duties of Acting Colonial Secretary did not exceed 3000 rixdollars, or (according to the present rate of exchange) £225 Sterling. Contrary to the custom prevalent in the Colony, he held no other Situation of emolument, and as he had continued to fill that of Assistant Secretary for the space of 5 years (having been appointed 10th Sept. 1819) he would have been entitled according to the practice to receive a salary of 5000 rixdollars (or at the present rate of exchange £375 Sterling) in September last.

It will not be unknown to your Lordship that on the retirement of Lieut. Colonel Bird, Mr. Brink was appointed by Lord Charles Somerset to the situation of Acting Colonial Secretary in the month of June last, receiving the full salary enjoyed by his immediate predecessor. This event, that was equally fortunate and creditable to Mr. Brink, has naturally tended to raise him in the consideration of the Inhabitants, and we could not but consider that his retirement from such a situation hitherto considered (however erroneously) to be next to that of the Governor, and from the temporary receipt of a large salary, to a situation of great labour, but of little consideration, and with a very inadequate Salary, would neither reflect credit upon the office that he had held, nor afford him an inducement to continue those exertions that have so long recommended him, and that at present are more required than when the

Colonial Secretary was himself conversant with the Dutch language.

Taking these circumstances into consideration, we had the honor to recommend to Lord Charles Somerset that the Salary of the Assistant Secretary should be raised to £600 Sterling per annum, and we hope, from what we have now stated, that your Lordship will feel yourself justified in confirming that recommendation, on account of the augmented duties that have devolved on Mr. Brink since his return to that office, as well as in the contemplation of an arrangement that may save the necessity of a new and distinct appointment, when we shall have brought under your Lordship's consideration the several reasons upon which we are prepared to recommend the formation of a Council at the Seat of Government. We have &c.

(Signed) JOHN THOMAS BIGGE,  
WILLIAM M. G. COLEBROOKE.

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[Copy.]

*Letter from* LIEUTENANT COLONEL BIRD *to the* COMMISSIONERS  
OF ENQUIRY.

LIESBEEK COTTAGE, 13th December 1824.

GENTLEMEN,—In answer to the honor of your letter of the 8th instant, I beg to say that in order to understand the case of Mr. Morkel, it is necessary to go back to the period, at which the Moravian Missionaries at Genadendal applied to Lord C. Somerset for an extension of Land for the Hottentot establishment of that place, when you will find that the Landdrost of Swellendam made many efforts to obtain for them, by arrangement with the neighbouring proprietors, the boundaries they required, and among others Mr. Morkel was induced, with very great difficulty, to give up a proportion of his land upon condition of receiving double the quantity in the opposite direction. Upon this occasion a survey of the Lands of the Moravian institution and of those of the adjoining proprietors was effected by the Land Surveyor Schutte, under the direction of the Landdrost of the District, and the chart thereof was

transmitted to, and is now in the Colonial Office ; on this the boundary of Mr. Morkel's Land is clearly expressed, and this has formed the basis of the subsequent consideration of Mr. Morkel's pretensions, which however have on several occasions been submitted to the local Authorities, and his claims replied to, according to the reports received. It is true that Sir R. Donkin having slept one night at Mr. Morkel's on his way to the interior, did write to me stating the hospitable reception he had met with from Mr. Morkel, and expressing a wish that his claims to the Land of the vale should be conceded, but I am not aware that Sir R. Donkin made Mr. Morkel any promise that they should be so, nor do I think it probable that any person in the situation of Acting Governor would make an unconditional promise of such a nature upon a disputed claim. Be that however as it may, I thought it my duty to lay before the Acting Governor the whole of Mr. Morkel's case on his return, as it appears in the documents to which I have referred, when Sir Rufane observed that it had certainly not been his intention to disturb any decision which had been previously made in that case, consequently no step was taken to alter the boundaries of Mr. Morkel's property, which I have been given to understand he has since disposed of. I am quite unaware that putting a Governor in possession of a whole case, which it is my opinion it was my duty to do, can be called opposing the claim of an Individual, nor do I know, how Mr. Morkel came to be told that I had so submitted these papers, upon which he has thought proper to make the strong remark which seems to have attracted your animadversion, though I believe I could point out from whom he did obtain the Information ; I have however no reason to regret his having communicated it to you. Of Mr. Morkel I know nothing except from the papers of this case, and consequently I have neither prejudice or partiality in his regard.

With respect to the remark of his having been in undisturbed possession for 7 years of the land, I beg to observe that much of the land which is grazed or tilled in this Colony is Government Land, altho' used by Individuals, and until the land is wanted for private or public purposes, the circumstance is seldom noticed by the Local Authorities, although there are positive regulations forbidding the detrimental practice.



The Chart of these lands above referred to shewed that there remained about 10,000 Acres of disposeable ground in the vale of the Zonder End River, and not only from my own observations, but from those of many others who have skirted the Banks of that River, it appeared to me to be matter of regret that the capabilities of those Banks should not be brought into action ; when therefore Sir R. Donkin decided upon placing parties of Settlers in other districts than the Zuurveldt, it became my duty to point out to him the most eligible situations I knew of for that object, from amongst the unoccupied lands, and I mentioned these 10,000 acres accordingly, but with this observation that as I could not be expected from my habits to be a judge of the Capabilities of land, I should recommend to Sir Rufane, the distance not being considerable from this place, to see the vale himself, before he decided on its occupation by settlers from England ; Sir Rufane in consequence crossed the Fransche Hoek Mountain, and was much pleased with the appearance of the vale, and then finally decided upon locating some parties in it.

The advantages, which this situation appeared to present were its vicinity to the Hottentot Establishment, from whence free labour might be hired when required, its having the command of Timber, the Government wood of Oliphants Bosch being at no great distance, wherein this requisite and scarce article might be obtained, its proximity to Drakenstein and the Paarl, whose opulent inhabitants are dependant for their corn on Over Berg produce, and who require summer and winter Tracts for their Cattle. About this time the Estates of C. Albertyn were disposed of by Public auction ; the Estate Wolvegat, to which your letter refers, was among others brought to the hammer, and as it touched on the Northern side of the vale, had great command of water, the possession of which would make the vale itself dividable, and contained winter pasture for a considerable quantity of Cattle, the vale being summerland, Sir Rufane decided to authorize its purchase. If I am asked for additional reasons for the adoption of this measure, I answer that they will be found in the great anxiety which Sir Rufane, in common with all the Government Servants who were called upon to aid the measure of locating the Emigrants, felt in the success of that measure, and in

regard to the price at which the Estate was purchased, altho' I grant that it was fully paid for, yet having been purchased at public auction it can only have been bought at one bidding higher than others offered for it. I have been informed that a like sum was subsequently re-offered for it, but that there was a hesitation about the terms of payment. I am certain that no one who was employed in this transaction could have derived any private advantage from it. This Estate then was purchased, and became with the vale the disposeable land of Government at the period of arrival of the Emigrants, when the parties of Captain Campbell, Lieut. White, Mr. Neave and Lieut. Griffith were selected for this location, and here I beg to notice a fallacy in Mr. Griffith's statements, which is the more necessary to call to your observation as nearly the whole of his case is made to rest upon it. He attributes his want of success and his subsequent embarrassments to his acceptance of the Lands, in consequence of my representation of their eligibility ; Lieut. Griffith forgets that the selection of the Lands for the Parties of Emigrants is left to the Governor by Earl Bathurst's public instruction. It was nowhere held out to them that they were to have had the selection of situations, and whether I gave or did not give a favourable description of the lands in the Vale of the Zonder End River would have had no weight, at the moment, as the Acting Governor had then decided upon placing these parties there. I admit however that I did say to the heads of parties destined to be settled on this location, that I considered it a more eligible position than that of the frontier ; I continue to hold that opinion, and as Mr. Griffith and the other parties *did not accept the Lands*, but left the location without having given it any trial, without having made the slightest exertion to render the lands available, I am warranted in saying that my opinion is not hitherto disproved, besides there is an extraordinary discrepancy between the statement of Mr. Griffith and those of Mr. Morkel ; the one considers these Lands as worthless, the other complained that his best corn land was cut off by the adherence to the measurement of the surveyor Schutte.

It is true that the aforesaid parties of settlers proceeded to the spot in the depth of winter, when everything was dreary and unattractive, and thus having seen the ground under its

most disadvantageous aspect, they made up their minds to abandon it, as they did in effect ; but I cannot admit that to this circumstance Mr. Griffith traces, with correctness, the embarrassments, in which he has been and is involved ; he went to the Zonder-end River at Government expence, he was removed at Government expence, his party was subsisted (I think, for I write from memory) at Government expence during the time it was placed in the Zonderend River Vale, and if this be correct, his loss was only of the time that intervened between the period of his leaving Cape Town and his return to it, at which return it was proposed to the parties, of which his was one, to proceed to the Frontier at Government expence and to be maintained at the Government expence until the harvest of the year 1821 should have been reaped. Can it in fairness be said, that under such circumstances Lieut. Griffith's ruin is attributable to his having gone for a few weeks to the Zonder End River Vale ! Capt. Campbell and Lieut. White accepted the Government offer, and went to the frontier. Lt. Griffith thought it more to his advantage to remain in the vicinity of the Cape, and declined it. Had success attended the endeavours of the great mass of settlers on the Frontier, Lt. Griffith might be warranted in lamenting that he had not originally been settled there, but as the failure of all those parties has not been less disastrous than that of Mr. Griffith, it is fair to infer that it is not to the circumstance of his not having been originally located on the frontier that he is to ascribe his misfortune. Mr. Griffith declined (as before observed) going to the frontier upon his removal from the Zonder End River, and he subsequently made an arrangement by which the lease of the Government farm " Old Post " was ceded to him. Here then Mr. Griffith settled himself in the heart of the Cape district, upon a Corn farm which had been taken at Public auction by a native agriculturist at a rent of Rds. 530 per annum, which is a very high price in this country for land, but which amount marks the character and eligibility of the farm Mr. Griffith selected. Here therefore Mr. Griffith may be supposed to have had superior advantages to any settler, and here we might have expected to have heard of his success, but no ! his failure upon this most eligible location has been equal to that of any of the other Emigrant Heads of parties. To

what then are we to ascribe it ? Certainly not to the cause to which he has attributed it, under the circumstances stated ; that is completely disproved. Is it to the expence of Rent to which the Farm was subjected ? No, for up to this period Mr. Griffith has paid no rent. So well satisfied however was he with the location of the " Old Post," that upon the ground of his early disappointment and of his being entitled to Land, which he had not obtained, he applied to have this Farm of " Old Post " granted to him in perpetuity, in which application he succeeded, and it was so granted to him at the reduced rent (by way of Bonus) of 170 instead of 530 Rixdollars. It was at the time suggested that he should be allowed to farm rent free (as in the cases of other settlers) for 10 years, but His Excellency the Governor did not think his case entitled him to so great a sacrifice from the Colonial Government, moreover Mr. Griffith received his seed corn from the Burgher Senate, which expence he has not yet defrayed, and consequently even these two material advantages of having had his location hitherto rent free, and his seed corn without paying for it, have not been able to uphold him upon one of the corn farms of the best repute in the most eligible situation in the colony. To some other cause then, I submit, must Mr. Griffith's embarrassments be attributed. And if I may venture to suggest, I should say that Mr. Griffith's previous avocations appear not to have fitted him for a life which requires habits and information of which Persons not bred to the profession of agriculturists are seldom possessed, and which requires also capital, without which to farm in this country is and must be ruinous, and of which it is evident Lieut. Griffith was but scantily (if at all) possessed.

I lament Mr. Griffith's want of success, and I am far from wishing, in anything I have said, to reflect on him or on his conduct ; on the contrary, I believe Mr. Griffith to be an industrious, painstaking and benevolent man, and I am convinced that distress alone has induced him to ascribe his want of success to a cause which it must be obvious to himself, as well as to any one who enquires into it with impartiality, could not have had the effect, under the circumstances pointed out, he now *for the first time* attributes to it. I have &c.

(Signed) C. BIRD.

[Copy.]

*Letter from the SECRETARY TO GOVERNMENT to the COLONIAL  
MEDICAL INSPECTOR.*

COLONIAL OFFICE, 14 December 1824.

SIR,—With reference to the correspondence which has already taken place relative to Mr. C. Liesching, I am directed by His Excellency the Governor to acquaint you that having taken into his attentive consideration the Proclamations which have hitherto been issued by this Government relative to the admission of medical men to practise in the Colony, He cannot find any specific Clause requiring that an Applicant for permission to practise as Surgeon, Apothecary, Chemist and Druggist should be bound to produce a Diploma or Certificate from Europe. And in this opinion he is completely borne out by the concurrence of the legal advisers of Government.

Under these circumstances His Excellency has directed me to signify to you his pleasure that Mr. C. Liesching be allowed to undergo the usual examination required on such occasions before you as Colonial Medical Inspector, and His Excellency requests that you will report your opinion whether the Medical knowledge and acquirements of that Gentleman are sufficient to warrant his receiving a License from Government to act as Apothecary, Chemist and Druggist without reference to any Diploma or Certificate from Europe. I have &c.

(Signed) RICHD. PLASKET, Secretary to Government.

[Copy.]

*Examination of LIEUTENANT RUTHERFURD, Royal Engineers,  
by the COMMISSIONERS OF ENQUIRY.*

CAPE TOWN, 14th December 1824.

You have been stationed for some years on the Frontier ?

Reply. I have been stationed with the Troops upon the Frontier since August 1819. I went up immediately after the Caffres were repulsed from Graham's Town.

Was the system of defence that is at present adopted the same that was at that time practised ?

Reply. The system of Defence pursued by Lieutenant Colonel Somerset is nearly the same as that which was adopted by Lieutenant Colonel Willshire, and consisted in patrolling the Country most exposed to Caffre depredations. These patrols have consisted of Cavalry and Infantry, the former composed of Mounted Burghers and the Cape Corps Cavalry, and the latter consisted of Detachments of the British Regiments and the Infantry of the Cape Corps.

Have you had any opportunity of judging of the effect produced by the Establishment of Small Posts along the Colonial Frontier, and do you conceive that they were calculated to aid the defence of it either from general Inroads of the Caffres or from their petty Depredations ?

Reply. As far as I have had opportunities of judging, I am of opinion that the Establishment of Small Posts is not advantageous, as they can never be so situated as to prevent Caffres from entering the Colony nor afford a party sufficiently strong to recover Cattle when stolen by the Caffres, or in the event of a general Invasion to maintain themselves.

Will you state what Posts are at present held along the Frontier ?

Reply. Cavalry and Infantry Posts at the Caffre Drift and Hermanus Kraal on the Fish River, Fort Willshire on the Keiskamma, and a Post at the Kakaberg (Baviaans River).

Do you conceive that the Mounted Burghers were an efficient Body when employed in Defence of the Frontier ?

Reply. I have seen them on Commando when they behaved exceedingly well, being then subject to Military Controul.

Were the depredations of the Caffres carried to a greater extent during the period that the defence of the frontier was made to depend on the posts, or as at present on the patrols ?

Reply. It appeared to me that the depredations were much greater when the Defence depended on the Maintenance of the Posts established in the interval between the periods when the command on the Frontier was exercised by Colonel Willshire and by Colonel Somerset. The relaxation of the system of patrolling threatened the Colony with considerable danger.

Do you conceive that the occupation of the Lands of the

Zuurveld by the Emigrant Settlers has hitherto contributed in any material degree to the security of that position ?

Reply. I do not conceive that it has hitherto tended to the relief of that position from depredations, altho' eventually it may do so, especially where they are closely settled.

Have you had occasion to observe that the Caffres have abstained from molesting them in situations where they are more closely settled ?

Reply. I have no distinct knowledge of the fact, but the object of the Caffres being to acquire Cattle, they generally avoid exposing themselves to resistance, and with this object are accustomed to lay in wait for convenient opportunities of carrying away Cattle without being observed.

Do you conceive in the present mode in which the Settlers have been established and organized, that they would be likely to contribute in any important degree to the defence of the Frontier in the event of Invasion ?

Reply. I am not aware of the present organization of the Settlers, but I am convinced that they would contribute in an important degree to the defence of the Frontier if properly organized.

You have lately visited the principal Chiefs of the Caffre Tribes ?

Reply. I have lately visited Congo, Slambie, and Hinza.

Did it appear to you that any general or controlling authority was recognized in the person of either of these Chiefs ?

Reply. The authority of Hinza over the other Tribes was generally recognized, but he refrained from exercising it over the other Chiefs.

Did the authority of Gaika appear to be recognized by any of the other Tribes ?

Reply. The other Tribes appear to be at present nearly independent of Gaika, whose authority from his connexion with us is at the same time respected.

Which do you conceive to be the most powerful of the Tribes ?

Reply. That of Hinza.

Is the Tribe of Slambie less considerable than it formerly was ?

Reply. From what I could learn it has been greatly reduced,

and it is now in a great measure distributed between the other Tribes of Caffres.

Do you conceive that the Line of the Colonial Frontier would be strengthened by filling up the Country behind the Kat River, or generally by occupying the Lands within the Keiskamma ?

Reply. I do not conceive that the Settlement of the Lands within the Kat and Keiskamma Rivers would prevent the Caffres from entering the Fish River Bush, and therefore in the present circumstances of the Frontier it would not add to the security, while it would require an augmentation of the Military Force. Hereafter when the Caffres may have become more civilized by the intercourse they may be admitted to hold with the Colony, that line of Country may then be occupied with advantage.

What has been the effect of establishing Fairs at Fort Willshire, so far as your observations may have enabled you to judge of it ?

Reply. I consider that the Establishment of Fairs, which has legalized the barter between the Caffres and the Colonists is the first important Step that has been taken for effecting the civilization of the Caffres. Altho' the Fair at Fort Willshire had been so recently established, it had even produced a general communication between the Colonists and the more distant Tribes of Caffres, as in my Journey through Caffraria in October last I met several parties coming from the remotest quarters laden with Articles for barter, consisting generally of Skins, Ivory, &c.

Did you attend any of the Fairs, and did they appear to you to be conducted with regularity ?

Reply. I attended the Fairs during two or three days. There may have been from 150 to 200 Caffres present. They had brought a good deal of Ivory and of Caffre and Indian Corn (Millet and Maize) with other Articles, and the barter was conducted with much regularity.

Did they consist of People from the various Tribes ?

Reply. There were some from various Caffre Tribes, and also some Tambookies.

What were the Articles they evinced the greatest disposition to purchase ?



Reply. Small beads and buttons, but chiefly the former, which are generally employed by them as Money in Transactions between themselves. Some European Articles of Clothing were purchased, but not to any extent, and probably by persons connected with the Missionary Institutions.

Do you conceive that the Chiefs of Tribes are generally disposed to receive Missionary Agents to reside with them at their Kraals ?

Reply. I should conceive that they would be glad to receive them in most instances.

(Signed) JAMES H. RUTHERFURD, Lieut. Royal Engineers.

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[Original.]

MR. JOHN FOURNIER'S *Statement of his Sufferings.*

CAPE TOWN, December 16th 1824.

I came to this Country, as a Settler, in partnership with four others, under certain regulations with the Government at home ; and other regulations mutually made amongst ourselves.

These regulations not being adhered to, is partly attributable to the cause of that ruin being brought upon me which is hereinafter set forth.

The unjust proceedings of the manager of the party, made it necessary that a subsequent separation should take place, tho' it left me destitute of everything but what I could procure through my own exertions.

The land was to have been subdivided into five equal parts of 500 acres each. No. 4 fell to my allotment, and No. 5, the one adjoining to it, to John Morton, who sought various unjustifiable means of wrenching the whole of my frontage from me, in addition to his own. My not being enabled to get the sentence awarded in my favor, carried into execution, is to be attributed the annihilation of all my prospects in this my long and arduous undertaking.

So soon as I was aware of Mr. Morton's intentions I applied to have him summoned before the Court of Hemraaden, and

obtained a verdict in my favor, in his being ordered to desist and quit the place.

This he did do, and afterwards resided upon what he admitted to be my ground, with one of my tenants, but still persisted in refusing to have the divisional lines marked out according to our agreement, in direct opposition to the wishes of the others of the party, and all my applications to the authorities to obtain this necessary object were unsuccessful until I had been obliged to sell my farm to extricate myself from the difficulties brought upon me in consequence of it.

In the year 1822 Mr. Shaw, who came to the Frontier as a Merchant, laid claim to Mr. Morton's land, by right of purchase, when he, Morton, had not resided upon it a year, and I must observe that Mr. Shaw was made acquainted with the nature of our disputes, previous to his purchase, and further that he got it for a mere trifle in consequence of it, after concerting measures with Mr. Morton in the presence of a third person for defrauding me of it. He also made repeated applications to purchase of me, at the same time openly boasting of the great dependance he placed in a letter of recommendation he had procured from Colonel Bird, evidently for the purpose of discouraging me in opposing him.

This Person, Mr. Shaw, forcibly, and in defiance of me, took possession of this portion of my land which had given me so much trouble in removing his predecessor from, and procured a letter from Mr. Rivers the Landdrost cautioning me not to molest Mr. Shaw on these premises, and shortly after sent me another letter saying it was the Landdrost's orders forbidding my going on with the building of my house, which was a serious loss to me. I must here observe that this ground in question was nearly on the extreme verge of my boundary on the reverse side to that which Mr. Shaw claimed as Mr. Morton's, and I think a  $\frac{1}{4}$  of a mile from it, so that it must appear that Mr. Shaw has been allowed to withhold all the prime part of my land from me, nearly from one extreme of it to the other, while I have been under the necessity, in consequence, of living on and cultivating a portion of that which belonged to my opposite neighbour, which has confined me to a frontage of but a few yards, in lieu of a  $\frac{1}{4}$  of a mile, which was my due, and this for the space of nearly four years.

I would here wish it to be understood that out of all my original party, consisting of 25 men, that I was the only one who remained upon it and strove to bring that portion of it into cultivation which I claimed by right of my agreement with the Party, the remaining 2000 acres of it having been either given away or sold to strangers.

To the many disadvantages, litigations and lawsuits this has naturally exposed me to, is to be attributed entirely the failure and ruin of all my prospects finally to settle myself in this Colony.

I most solemnly affirm that I was under the necessity of selling my farm to pay off my debts, Rds. 100 of which was due to the Court of Heemraaden, part of it for a cause wherein I was cast for an assault upon Mr. Shaw for opposing a nuisance which he was committing, and had been previously convicted of and fined for. And against this I was refused the benefit of an appeal. I did all in my power to delay the sale of my place until such time as Mr. Hayward should settle this business, but was unable, from the urgency of my affairs to do it.

In about a month after it had been sold, Mr. Hayward decided it by ordering Mr. Shaw to remove, only allowing him a reasonable time to remove his fruit trees, which Mr. Daniel, the purchaser, freely consented to. But the benefit of this accrued not in the least to me, but entirely to the purchaser.

I must observe that Mr. Shaw did all in his power of discouraging anyone from buying the place (in the hopes no doubt, that he might get it) by industriously promulgating reports of the certainty of his having granted to him this disputed portion of mine. Stating his expectations in a letter of recommendation or patronage he had procured from Colonel Bird ; and also his having memorialized his Excellency the Governor for it.

This had so much effect that everyone declined purchasing under such circumstances, so that, in the end I was obliged to let my opposite neighbour have it at his own price : nor would he have bought but that he was well acquainted with the circumstances.

At the commencement of Mr. Shaw's laying claim to Mr. Morton's land, which was in the beginning of the year 1822 upon his bringing me orders from Mr. Rivers the Landdrost to

desist from building my house, I wrote him a letter protesting against the proceedings. In answer Mr. Rivers promised to come personally and adjust the difference, which he did do about 6 weeks afterwards with Mr. G. Dyason, and proposed its being left to an investigation, on condition only that the separate parties should bind themselves down finally to abide by their decision, which we did do, and Mr. Dyason made notes of it upon the spot in the presence of the Landdrost and several persons assembled.

Accordingly, Captain Campbell (Heemraad of the district), Lieut. Hope (Land surveyor), and Mr. Dyason were appointed, who after hearing both parties and the different witnesses, decided in my favor, that Mr. Shaw should not be considered in possession of the place or do anything more upon it.

To this, Mr. Shaw paid not the least attention, but immediately commenced harassing me to a greater extent than ever, by turning off my water course from my crops upon his own, notwithstanding I had with much trouble rose this water by a dam to irrigate the land. He also began cutting down my young trees, blocking up my road, and the water appropriated for the cattle, dirtying and suffering his family to bathe in the water used for domestic purposes, and in my absence attempted to pull down one of my houses, while 3 of my servants were actually in it. He then commenced harassing my Tenants with prosecutions, and one of them for an assault in opposing the destruction of the house. And he not only procured an order from the Landdrost forbidding me to oppose his having the water from my dam, but even got me bound down to keep the peace under a penalty of 500 Rds. And all this positively occurred on that part of my land the most remote and about  $\frac{1}{4}$  of a mile from that which Mr. Shaw claimed as Mr. Morton's, which was always well known from its having been measured.

Shortly after the investigation had taken place I received a letter from Mr. Dyason giving me to understand that Mr. Rivers had directed him to give me notice that he would send a Gentleman from his office to inspect the water upon Mr. Shaw's land, whether it was good, and in sufficient quantity for general uses. To which I replied in a letter dated the 20 June 1822 stating my readiness to point out the water, notwithstanding its being against the decision of the magistrates (for they, upon

consideration of the circumstances) objected to my doing it, and would not admit of it, though I particularly desired it, as I thought it might be the means of preventing any disputes on that head for the future. At the same time I observed to Mr. Rivers, the little attention which Mr. Shaw paid to the decision of the investigators, and praying that I might be informed what I was to expect from the result of it, as it was my intention to abandon the Place, unless the decision was carried into effect.

To this I could obtain no answer whatever, but I kept myself in constant readiness to point out the water as required by Mr. Rivers until the 25th of July when I again wrote to him, and pointed out the petty subterfuges which Mr. Shaw had resource to to detain the place, and how injurious it was to me. At the same time transmitting a document, signed by my neighbours, witnessing there being a sufficiency of water on Mr. Shaw's land, and of a good quality. This voucher I got drawn up and signed on the 17th of July 1822, it being then the dryest time known in those parts within the last four years. This, I thought necessary to do, because the Gentleman I was given to expect out there to inspect the water would not come, and in fact never did come at all.

Being again unsuccessful in obtaining any reply, I shortly after, wrote another letter, more minutely touching upon the different circumstances, and shewing the inutility of my exertions, until he should be pleased to allow me to take possession of my own land, agreeable to two sentences awarded me to that effect.

To this I could get no other reply than a verbal one referring me to His Excellency the Governor, whom I immediately Memorialized, stating my grievances, and enclosed duplicates of all the different letters I had written to the Landdrost upon the subject, and the ill success I had met with. Petitioning "That Mr. Shaw might be compelled to sanction the division of the land conformable to the arrangements preconcerted amongst ourselves, and that I should be put in possession of that only which was justly my own."

On the 18th January 1823 I wrote another Memorial to His Excellency, setting forth the ruin that was coming upon me, and my inability to procure redress from the Law, through the

distress that I was brought ; therefore earnestly begging and praying he would be pleased to see me righted.

I never received any answer to either of these Memorials, nor did I ever obtain the least redress until Mr. Hayward (the Commissioner) settled it : but unfortunately it was too late to save me. Had this been done but one year sooner, I certainly might have recovered myself. Early in the last spring I waited upon the Landdrost to inform him that unless he would be pleased to have Mr. Shaw removed, and myself allowed to work on my own ground agreeable to two sentences awarded to me to this effect, I should give up working, as I was determined no longer to cultivate that land I had been under the necessity of doing for four years, being perfectly convinced of its not belonging to me.

The Landdrost gave instant directions to Mr. G. Dyason, who was present, to go to Mr. Hope and inform him it was his direction that he should go out the following morning and look into the business. But Mr. Hope never did come. Upon my applying to Mr. Dyason for the cause of it, he informed me that he had spoken to Mr. Hope, who said that as he, in concert with the other two investigators had given his opinion of it already to the effect that Mr. Shaw must be removed, he could do no more in the case by coming out.

Mr. Dyason then actually proposed another arbitration for it ; but I indignantly refused it, because it had been twice before given in my favor, and I was never the better for it.

I requested Mr. Dyason to inform the Landdrost of the result of the message delivered to Mr. Hope, which he promised to do immediately. But I could never get any redress, or even an answer afterwards, further than that Mr. Rivers from time to time promised to write, which he never did do in any manner whatever.

Being hopeless of obtaining any assistance from the authorities, and having no other resource left me but to oppose force to force, I did so, and got myself involved in expences through it, and finding to my cost that I was not allowed to oppose his nuisances, though proved as such, I abandoned my residence after being four years upon it, and never got the least redress until such time as it was too late to benefit me.

(Signed) JOHN FOURNIER.

[Copy.]

*Letter from the REVEREND WILLIAM GEARY to LORD CHARLES SOMERSET.*

MORRISON'S HOTEL, CAPE TOWN, 16th December 1824.

MY LORD,—I have the honor to inform your Lordship, in reference to the subject of my late application, that my friend, who is by no means in affluent circumstances, on reviewing the state of his finances, finds himself unable to assist me in the way his generous feelings prompt him, and to the extent which I had stated to your Lordship. I have, in consequence, been obliged to give up every hope of sailing by the *Alacrity*.

But another Vessel (the *Greenock*) driven in to repair a leak and having but few passengers on board, can afford to take me and my family for as low a sum as 120 guineas. If therefore your Lordship would be pleased to make an augmentation to the Loan your Excellency has had the kindness to grant, of £25, I should esteem it as a particular favor. Nearly a month's detention at a public Boarding House, waiting for a ship to carry me to England (a period so much longer than I expected), your Lordship is aware must have considerably impoverished my means, and the favor I now solicit together with the pecuniary aid of my friend, I can assure your Lordship will leave me in possession only of a few sovereigns, which in all probability from the expences of debarkation and travelling will be quite expended on arriving at the door of my destined habitation. As the *Greenock* will positively sail on Sunday morning at daybreak I earnestly solicit the honor of an early reply. I have &c.

(Signed) WILLIAM GEARY.

[Copy.]

*Letter from the REVEREND WILLIAM GEARY to the SECRETARY TO GOVERNMENT.*

MORRISON'S HOTEL, CAPE TOWN, 16th December 1824.

SIR,—Wishing to spare His Excellency the trouble of receiving another direct official application from myself, on a subject too which I had reason to apprehend was by no means

the most agreeable to His Lordship's feelings, I took the liberty this morning to solicit the honor of an interview with you for a few minutes, only to request the favor of your verbal representations on my behalf to His Excellency for a small augmentation to the Loan which he had the kindness to promise shall be granted to me. Being however informed by the Messenger that you were too much engaged to see me, I feel myself under the necessity of again requesting that you will have the goodness to lay the enclosed before His Excellency the Governor. I have &c.

(Signed) WILLIAM GEARY.

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[Copy.]

*Letter from the SECRETARY TO GOVERNMENT to the REVEREND  
WILLIAM GEARY.*

COLONIAL OFFICE, 16th December 1824.

SIR,—His Excellency the Governor has desired me to inform you that he can afford you no further relief than what has been already offered to you in my letter of the 9th Instant.

I have &c.

(Signed) RICHARD PLASKET.

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[Copy.]

*Extracts from the Day Book kept by the DEPUTY LANDDROST  
OF CRADOCK:*

2nd December 1824. R. A. Stretch was present on the 8th November last, when the Field Cornet Van der Nest spoke to the three Caffres that came to his place, heard them say they had brought two oxen out of Caffreland for the people, saw the oxen, said the Caffres were angry, heard one of them say that the Slave Woman they brought out with them would speak to the Field Cornet, as she understood Dutch better



than him. A Caffre attempted to draw his assagaay, but did not succeed, the Field Cornet ordered Four men to get their arms out, on which the Caffres ran away, the Guard pursued them in different directions, heard firing, but did not see a Caffre shot. Says further, that eight or ten people might have been speaking to the Caffres, when the Guard were ordered to arm themselves. Thinks it was absolutely necessary to fire upon them.

Hendrik Klopper Commanded a Guard of four Burghers at the place of the Field Cornet Van der Nest on the 8th November last, when three Caffres came there with two oxen and a Slave Woman they had brought out of Caffre Land, the two Oxen were given to the Field Cornet, the Caffres looked very angry, the Field Cornet ordered him to get the Guard armed, the Caffres then ran away, at that time there were ten or twelve people standing close to the Caffres. The Guard on their running away, pursued them, the Field Cornet called out several times to the Caffres to stand, and desired the Guard not to Fire in case they should stand, but not doing so the Field Cornet then desired them to fire, which they did, and shot a Caffre, but did not like to attempt to seize the Caffres without their arms, as on such occasions they are apt to oppose with their assagays.

Four or five other People who were present at the time corroborate in its principal points the statement of the foregoing evidence.

The Field Cornet Van der Nest says, that in consequence of having brought out of Caffre Land upwards of 400 Head of Cattle a few days before, he was afraid of an attack from the Caffres, and these coming armed to his place, which is not customary with them, he therefore considered them to be spies, and feared that a Force might be close to them, and when he found them determined to run away, which confirmed him in that Opinion, and it being late in the Evening and to prevent their joining, and being apprehensive of an attack from them, He then ordered the Guard to fire upon them, which they did, and shot one.

CRADOCK 16th December 1824.

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[Original.]

*Letter from MR. THOMAS WILLSON to EARL BATHURST.*

STOCKWELL, 18 December 1824.

MY LORD,—I am wholly at a loss to account for your Lordship's entire disregard of the three last letters, of so much importance to me ; and which I have felt it my duty to address to you, in terms that I conceive must be deemed perfectly unexceptionable, notwithstanding the extreme aggravation of my case, and which on every account I had reason to suppose your Lordship would have replied to without hesitation. I have therefore now to entreat your consideration of my Letters, from a desire which I must always have of acting in conformity with the view of His Majesty's Government.

It is truly painful to recur back to periods of Inquiry, which from their nature cannot but excite very acute feelings, my notes of my journey to my Location, and to the final settlement of my party, abound in singular evidence of the atrocities of the plaintiff in the present action, exclusive of his outrage in possessing himself unlawfully with my personal property ; and the repetition of such injuries so unexpected and oppressive at this time, are additional arguments in support of my claims upon Government.

I have been given to understand that the present malicious arrest is at the suggestion of the Irish officer (the insidious crony of the plaintiff) commanding at Algoa Bay, whose conduct I have before had occasion to notice in my communications to Government : it might be supposed that time and distance would have allayed the worst of passions, or at least that my forbearance would have subdued his malignity : but my Lord, the vindictive spirit of the said Commandant, because I did not hold it safe to adopt his hollow and intrusive *advice*, is scarcely credible ! Who can believe that he vauntingly expressed a hope that he would soon have me in the Sequestrator's Office ! To this end, he without hesitation, (to the surprise of the Commissary) cut me and my family off from the rations which Government had beneficently anticipated as necessary for our existence, and that too at the very time my Servants and my followers were supplied in my name,

and which it has been intimated I must pay for, although I have *scarcely* participated in the said rations ! Well for us, and our Children, that our private Stores were not yet quite exhausted, otherwise we might actually have starved. We were however nevertheless reduced by his inhumanity to the utmost privation and want. Will it be believed, (as a run upon my finances) that he exacted *payment* for *waggon hire* from me Individually, when this Conveyance, by order of Government, was remitted to every other person of my party, and to all the other parties ! Will it be believed that in several instances he insisted that I should pay the *second* and even the *third* Instalment of Deposit Money, in *Cash*, when he knew that I had not been reimbursed in these payments ! he also instigated some persons to take forcible possession of my personal property, to reimburse themselves in their deposits ! and he obliged me to pay to others certain Monies which had been forfeited to me in England, over which he could have no possible jurisdiction. Will it be believed that he descended personally to jeer me, and endeavoured to provoke my anger by scoffs, that he even taxed my forbearance for cowardice, and my reserve, for a contempt for the authorities ! which in truth were the only laudable steps that I could adopt for the honor and security of my children. Will it be believed that he threatened me with imprisonment in the common jail of the Caffres before my own servants ! because I remonstrated with him for sanctioning their improper demands : he moreover ordered rations for the latter at my expence, when they were in a state of revolt, assuring them they had nothing to thank me for, as the rations were supplied by the King *gratis*, and that he would oblige me to issue them as he thought proper ; insomuch that I was threatened by my followers to be cast into the Baker's oven unless I signed their utmost requisition ! thus perverting all order, and reducing me from the Head to the Tail, rendered me the veriest slave of the party that vengeance could suggest.

Will it be believed that while my afflicted and unhappy wife was lying dangerously ill in Bed, (under the care of the Surgeon of the Fort, who had expressed his doubt of her recovery), that this humane officer had the brutality to insult both her feelings and mine, and plant waggons before my door several

days in succession outrageously protesting within her hearing that he would have me and my baggage tossed into the waggons and escorted by the Military into the Interior! evidently regarding us in no other light than Convicts! hourly sending threatening messages, and letters, that he would exercise *force*, and that he would order Soldiers from the Fort to throw me and my family into the Waggons headlong, vowing eternal vengeance on my head, if I dared to oppose him, (that the worthy Commissary even became alarmed for our personal safety) until I was at length relieved from this petty Tyranny by Command from higher Authority! Will it be believed that after such persecution this Hibernian Commandant condescended to ask favors of me in order to ingratiate himself with the Governor! And lastly, will it be believed that the 25 *Arrests* at the Cape, and above all the *present oppressive arrest* in England, have *all* been at the Instigation of this vindictive and blundering Officer! even when the Advocates at the Cape had refused to recognize this very action, and after the Commandant himself had been reprimanded for his injudicious and most improper interference! enough however of this distressing subject, it is painful to intrude upon your Lordship with the recital. All that I would crave at the hands of Government is a due consideration of my suffering and the fulfilment of its engagements, which would duly and effectually protect me from such aggression and outrage in future.

I have &c.

(Signed) THOS. WILLSON.

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[Original.]

*Letter from MAJOR HOLLOWAY to GENERAL MANN.*

DEVONPORT, 18th December 1824.

SIR,—In obedience to the orders contained in Lieut. Col. Mann's letter dated 3d Inst., I have the honor to acquaint you that on a full consideration of the Plans and Estimates transmitted from the Cape of Good Hope by Assistant Commissary General Hewitson under date 28th June last, I am clearly of opinion that considerable improvements on the propositions

submitted by that officer to the Lords Commissioners of His Majesty's Treasury may be made, especially with reference to that part of Mr. Harrison's letter to the Board of the 23d Ulto. which relates to the offices for the Officers of the Commissariat.

Mr. Hewitson states that he is obliged to abandon the design of including the offices within the Range of the Buildings of the Depôt, "as the whole of the Premises will be wanted for Magazines," but it is apparent that abundant room for the several requisite offices can be afforded, if the spaces devoted in the Plan for an open yard were to be roofed in, and divided into apartments in the manner I have taken the liberty to describe in the Plan No. 1, where it will be seen that not less than 6 Rooms, each 14 feet square, can be formed.

I do not know the exact number of offices required, but believe Mr. Hewitson considered 5 or 6 as necessary, nor their exact dimensions, therefore the partitions should of course be run across so as to bring the rooms into the sizes that the Head of the Commissariat might deem most advisable for his Department. The Plan shows a passage of 6 feet broad to extend between the range of the proposed offices and the shed wanted for empty casks. As for the open yard that the Depôt would lose by this modification of the Plan, and the stable at the end of it, the same can be most advantageously had by inclosing in the *small slip of ground about 25 feet broad, laying between the front of the Buildings and the channel for the water of the Town Canal*, in the manner pointed out in the Plan. To this measure I am not aware that any objection or difficulty does or can arise, for the spot of ground is understood to be Government property, it is not occupied, nor can it I should conceive be applied to any other fit purpose. As the doors of all the storehouses open into this Area, by enclosing it as proposed the Establishment will be brought into a more compact form, and be more easily protected from Depredation and risk ; the Commissariat be enabled more readily to make their issues &c. ; In fact the measure appears desirable in every point of view.

With regard to the Estimate, I am to observe that at present there does not seem to be allowed any amount for the old materials, of which the wall &c. that are to come down are now formed. They would give a considerable quantity of

stone fit for the new Buildings, as also some timber which could be applied to useful purposes. I do not know the quantity of these old materials in a sufficiently exact manner to bring their value into the estimate in a regular way, but I conceive the amount would about cover the Building of the proposed inclosing wall and its pair of Entrance Gates. Therefore the formation of the offices as herein projected would be the only addition to be made to the Estimate. I have annexed to the general Estimate for the repair &c. of the storehouses a supplementary one to include the expence of fitting up the offices, and its amount is £481 1 10½ Sterling; for this sum the annual Rent of the present hired offices (and which from the situation and extent of the Premises must necessarily be considerable) may be saved, and the Commissariat be enabled to transact their public Business more readily.

It is proper for me to observe that in order not to have the offices formed against the wall which is next the sea, I have reversed the Plan of Mr. Hewitson and put the shed for empty casks on that side and the offices on the other. It only remains for me to state that Mr. Hewitson's plan proposes a kitchen for the Storekeeper's Quarter, but the breadth of it to be only 5 feet. I have made a little alteration in the disposition of the rooms so as to obviate this inconvenience, but the expence will not be affected. I have &c.

(Signed) W. HOLLOWAY, Major Royal Engineers.

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[Office Copy.]

*Letter from* EARL BATHURST *to* LORD CHARLES SOMERSET.

DOWNING STREET, LONDON, 19th December 1824.

MY LORD,—I have had the honor to receive your Excellency's dispatches of the numbers and dates noted in the margin; and

No. 105—29th July	I have to convey to you my sanction of
„ 106—26th August	the several arrangements which you
„ 107—1st September	have brought under my notice for
„ 108— „ „	allowing some remuneration to the
	Compositor of the <i>Cape Gazette</i> on
	account of extra attendance; for encreasing the Salary of

the Under Sheriff of Stellenbosch, and for allowing a monthly charge of twenty-five Rix Dollars for the hire of an Office adapted to the accommodation of the Vaccine Establishment and of the Colonial Medical Inspector.

With respect to the encrease of Salary which your Excellency has allowed to the Harbour Master at the Kowie River, I certainly concur with you in opinion as to the propriety of appointing to that situation an officer of character, whose emoluments shall not be made to depend upon his personal interest in trading transactions; but I cannot avoid expressing my hope that the amount of his Salary has been fixed with due reference to the fact of the establishment being yet in its infancy. I have &c.

(Signed) BATHURST.

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[Office Copy.]

*Letter from* EARL BATHURST *to* LORD CHARLES SOMERSET.

DOWNING STREET, LONDON, 20th December 1824.

MY LORD,—This Letter will be delivered to your Excellency by the Reverend Edward Judge, who has been appointed to undertake the superintendence of the school which [is] about to be established at the Cape of Good Hope.

Having already fully explained to your Excellency the terms upon which the Services of Mr. Judge have been engaged, I have only now to add that the Colonial Agent to your Excellency's Government has been authorised to issue to that Gentleman two hundred pounds for the purchase of books, and one hundred and fifty pounds in advance and on account of his salary which is to commence from the date of his arrival in the Colony. I have &c.

(Signed) BATHURST.

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[Original.]

*Letter from R. LUSHINGTON, ESQRE., to R. WILMOT  
HORTON, ESQRE.*

TREASURY CHAMBERS, 20th December 1824.

SIR,—I have it in command from the Lords Commissioners of His Majesty's Treasury to transmit herewith a Memorial of Mr. Lancelot Cooke respecting the conduct of Mr. Blair, the Collector of the Customs at the Cape of Good Hope, together with a Printed Copy of the Trial referred to therein, and I am to acquaint you for the information of Earl Bathurst that as the matter complained of in this Petition appears to relate to the Administration of Justice at the Cape of Good Hope in a prosecution instituted for Libel as arising out of a former Petition from this Person, (a Copy of which previously to its being transmitted to this Country was sent to Lord Charles Somerset at the Cape, and which Petition was transmitted to Earl Bathurst in the Letter of this Board of the 10th Inst.) My Lords have informed Mr. Cooke that they have transmitted the present Memorial for the consideration of Earl Bathurst.

I am &c.

(Signed) R. LUSHINGTON.

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[Original.]

*Letter from LORD CHARLES SOMERSET to EARL BATHURST.*

CAPE OF GOOD HOPE, 21st December 1824.

MY LORD,—I take the liberty of forwarding to Your Lordship a copy of a Memorial which has been addressed to me by a Deputation from the Scottish Presbyterian Community at this Place, soliciting the sanction of the Government to erect a church in Cape Town. These Persons are of the legitimate



Scotch Church, but being no longer willing to associate with the Scottish Independents under Dr. Philip, have formed themselves into a Body distinct from that Congregation for the purpose of erecting a chapel for the performance of Divine Worship according to the rites of the established church of Scotland.

Your Lordship will perceive that their object is the procurement of pecuniary assistance, thro' His Majesty's Government in aid of the Funds realized for building a church, and the appointment of a Scottish Presbyterian Pastor at the Public expence. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Enclosure 1 in the above.]

To His Excellency Lord Charles Henry Somerset Governor and Commander in Chief of His Majesty's Colony of the Cape of Good Hope.

May it please Your Lordship,

In conformity with the sanction of Your Lordship a General Meeting of the Scottish Presbyterian Community in this Metropolis and the Neighbourhood, was held in the Lutheran Church on the 25th Ultimo for the purpose of taking into consideration the propriety and expediency of erecting a Scottish Church in Cape Town, to be placed in connection with, and dependant on the established Church of Scotland, and under the protection of the Colonial Government ; when it was unanimously expressed to be the wish of all present, that a Scottish Church should be established upon the principle proposed, and a Fund be raised for the purpose.

It was further Resolved " That the thanks of the Meeting be communicated thro' the Committee to His Excellency Lord Charles Henry Somerset, for having given his sanction to the Meeting and for the readiness manifested by His Lordship, to take the interests of the Scottish Church under the protection of the Colonial Government.

We beg leave most respectfully to assure your Lordship,

that, it is a source of real gratification to us, to be made the channel of conveying to Your Lordship the Sentiments of that branch of the Community, which we are deputed to represent, and in communicating the thanks of that body and the Sense which they entertain of Your Lordship's kindness, we need only repeat the expression of our unqualified and unanimous concurrence.

We consider it unnecessary to detain Your Lordship, by attempting to enlarge on the nature and utility of the establishment, which it is the particular object of these proceedings, and the wish of this deputation to recommend, to the favourable consideration of Your Lordship, and to that of His Majesty's Government at Home ; and it would, we are willing to believe prove superfluous to enter into detail, with a view to demonstrate a truth which to Your Lordship's mind must appear self evident, that in the Establishment and support of the National Churches abroad, England best secures to herself the Loyalty and attachment of her Colonial Subjects, by uniting them in the same bonds of Christian peace, and cementing their civil rights by their religious privileges.

In requesting Your Lordship's favourable reception of the wishes expressed by the Scottish Presbyterian Community, it seems a coincidence peculiarly propitious to the success of this prayer, that the National Churches of Scotland and Holland, should be formed after the same Model, and that the Church originally established by the Dutch Government in this Colony, and still maintained under the fostering protection of the British Government, should be the same, as that, for which Your Lordship's countenance is now solicited.

The above circumstance when viewed in conjunction with the established fact, that the Presbyterian form of Church Government, and the principles inculcated by the Scottish Church, are admirably adapted to diffuse among all classes, a spirit of rational piety, Loyalty, and brotherly love, induces us to indulge the sentiment, that as no link of Civil Society is stronger, so none can prove more eminently calculated to unite in one common interest, His Majesty's Subjects of this Colony, with the parent state.

In conclusion we beg leave most Respectfully to request

Your Lordship will be pleased to transmit a Copy of the annexed proceedings to Earl Bathurst with a view to obtain the support and countenance of His Majesty's Government.

Cape Town, 7 December 1824.

(Signed)      A. McDONALD  
                  JAMES NISBET  
                  GEO. PATON  
                  R. MORRIESON  
                  P. W. GRANT  
                  A. JOHNSTONE JARDINE.

[Enclosure 2 in the above.]

Pursuant to public notice, a general Meeting of the Scottish and Presbyterian community in Cape Town and the neighbourhood, was held in the Lutheran Church on the 25 Ult., under the Sanction of His Excellency the Governor Lord Charles Henry Somerset, to take into consideration the propriety and expediency of erecting a Presbyterian Church in Cape Town, to be placed in connection with the established Church of Scotland and under the protection of the Colonial Government.

Mr. Macdonald having been requested to take the chair, opened the proceedings by reading the following letter from Mr. Secretary Brink.

“To the Provisional Committee for taking into consideration the Interests of the Scottish Church.

“Colonial Office, 15th November, 1824.

“GENTLEMEN,—Having laid before His Excellency the Governor the letter which was addressed to me at your request on the 12th instant, soliciting His Excellency's sanction on behalf of several of the Scottish Community at this place, to hold a Meeting at the Lutheran Vestry Room on Thursday next the 18th Instant, for the purpose generally of taking into consideration the interests of the Scottish Church, and placing them under the protection of Government, I am directed to

acquaint you that His Excellency is pleased to accede to the Meeting being convened for the purpose stated.

“ I have &c. ”

(Signed) “ P. G. BRINK.”

Mr. Macdonald then observed that the Meeting had been summoned, with a view to ascertain the Sentiments of the Presbyterian Community in regard to the expediency and utility of building a Scottish Church, and for adopting such measures as might appear most advisable for the accomplishment of this object. Every individual present, he observed, must be aware how desirable it was that in a Society, containing so many Presbyterians, there should be a place of worship in which they might assemble to perform the ordinances of Religion, according to the institutions of that Church of which they professed to be Members. In speaking of a Presbyterian Church he of course meant that it should be in connection with, and enjoy all the privileges, of the Scottish Church, without which indeed it could not be entitled to the name of a Scottish Church, which can exist as such, only when connected with and protected by the State as a branch of the National Church of Scotland. It belonged to the Reverend Gentleman then present (alluding to Mr. Smith) to lay before the Meeting an exposition of the principles and institutions of that Church. He had only to add that he saw no difficulty in the attainment of the object concerning which the Meeting had been called upon to deliberate. It was clearly the interest of Government to promote this object and he had not the smallest doubt, and indeed he would take upon himself to say, that the Government would readily afford every assistance in its power.

Several Resolutions had been prepared by a few Gentlemen interested in the subject, these Resolutions were now in Mr. Grant's hands, and that Gentleman would read them to the Meeting. Such amendments will be made and such additional Resolutions added as the Meeting may think fit to adopt.

The Reverend Mr. Smith then addressed the Meeting at considerable length and explained the nature of the Government of the Church of Scotland as administered by Church

Sessions, Presbyteries, Synods and General Assemblies. His observations will be published in detail.

Mr. Grant also addressed the Meeting, after which the following Resolutions were unanimously carried :

Resolutions passed at a public Meeting of the Scottish and Presbyterian Community on the 25th day of November 1824.

Alexander Macdonald Esquire, Chairman.


Resolved unanimously :—

That as the Scottish and Presbyterian Community residing in this Metropolis and the neighbourhood formed a considerable proportion of the Anglo Colonial population, it is highly desirable as regards both their moral and religious interests, that a Presbyterian Church should be erected in Cape Town and placed in connection with the established Church of Scotland, and under the immediate protection of His Majesty's Colonial Government.

That for the purpose of carrying into effect this object in concert with, and under the sanction of the Colonial Government, a General Committee be formed and that the following Gentlemen be appointed Members thereof :

Mr. Macdonald, Chairman	Mr. Johnstone Jardine
Mr. Nisbet	Mr. Smith
Mr. Dickson	Mr. Paton
Mr. Pillans	Mr. Loudon
Mr. Monteath	Revd. Mr. Faure
Mr. Abercrombie	Revd. Mr. Murray
Mr. Findlay	Revd. Dr. Thom
Mr. Mackenzie	Revd. Mr. Smith
Mr. Saunders	Revd. Mr. Sutherland
Mr. Rankin	Revd. Mr. Berrangé.

That the Scottish and Presbyterian Community, desirous at all times of manifesting their Loyalty and attachment to His Majesty's person and Government, and to His Majesty's representative in this Colony, and reposing the utmost confidence in the disposition of His Excellency Lord Charles Henry Somerset to afford every facility towards the attainment of the object above stated, do instruct the Committee to



consult the wishes and to conform to the views of His Excellency the Governor as may be practicable, consistent with the principles of the National Presbyterian Church.

That on the plan being drawn up by the Committee and submitted to His Excellency the Governor, the same shall be made known at another General meeting, or in any other manner, the Committee may judge expedient, and no time thereafter lost, in requesting His Excellency to forward and favorably recommend it to Earl Bathurst, with a view to obtain the sanction of His Majesty's Government, to the early nomination of a Scottish Presbyterian Pastor conformably to the tenor of His Lordship's letter to the Presbytery of Glasgow dated the 13th of May 1824.

That a Subscription be opened in this Metropolis and throughout the Colony for defraying the expence of building the Church, and that the assistance of His Majesty's Government be solicited in aid of the Funds realized by voluntary Contributions for this purpose, and for paying part of such stipend as may be deemed adequate for the respectable maintenance of a pastor of acknowledged character, talent, judgment and experience.

That the Committee be instructed to communicate their proceedings to the Presbyteries of Edinburgh, Glasgow and Aberdeen, and the Moderator to the General Assembly, and to solicit their aid in promoting the objects contemplated by this Meeting.

That the Members of the Dutch Community be solicited to contribute to this laudable purpose, and also the Members of the Episcopal church, to whose Institutions the Scottish Presbyterians have always been ready cordially to contribute.

That the Committee be instructed to communicate to the Presbyterian Pastors at the Indian presidencies, the desire of the Presbyterians in this Colony, to erect a Scottish Presbyterian Church in Cape Town, and that they be solicited to open Subscriptions among the Scottish and Presbyterian Community in India in aid of this establishment.

That the thanks of this Meeting be communicated by the Committee to His Excellency Lord Charles Henry Somerset, for having granted his sanction to the Meeting, and for the readiness manifested by His Excellency to take the interests

of the Scottish Presbyterian Church, in this Metropolis, under the protection of the Colonial Government.

It was moved by the Chairman and carried unanimously : That the thanks of the Meeting be given to the Reverend Mr. Kauffman for the kind manner in which he acceded to the request made to him of permitting the Meeting to assemble in the Lutheran Church.

It was moved by the Chairman and seconded by Mr. Jardine : That the Revd. Mr. Kauffman and the Revd. Mr. von Manger, now present at the Meeting be invited to become honorary Members of the Committee.

It was moved by Mr. Nisbet and seconded by the Reverend Mr. Smith : That Mr. Morrieson of the Honorable East India Company's Service be invited to become a Member of the Committee.

It was moved by the Reverend Mr. Murray and seconded by Mr. Pillans : That the thanks of the Meeting be given to the Gentlemen who prepared the Resolutions above recorded.

It was moved by the Chairman and seconded by the Reverend Mr. Smith : That Mr. Grant be nominated a Member of the Committee and that the thanks of the Meeting be given to that Gentleman for his zealous Co-operation in promoting the objects of the Meeting.

It was moved by the Chairman and seconded by Mr. Dickson : that the proceedings of the meeting be printed and published for general information.

It was moved by the Chairman and seconded by Mr. Nisbet : That a Subscription be immediately commenced among the Individuals present at the Meeting, in aid of the Funds for Building a church.

It was moved by the Chairman and Resolved unanimously : That the thanks of this Meeting be given to the Reverend Mr. Smith for the very appropriate address which he had just delivered and for his active and zealous Co-operation in promoting the object of this Meeting.

It was moved by Mr. Grant and seconded by Mr. Morrieson : That the thanks of this Meeting be given to our worthy Chairman Mr. Macdonald for his able conduct in the chair, and for his zealous Services in promoting the objects of this Meeting.

A. McDONALD, Chairman.

[Copy.]

*Letter from the COMMISSIONERS OF ENQUIRY to LIEUTENANT COLONEL BIRD.*

CAPE TOWN, 21st December 1824.

SIR,—Having had under our consideration certain acts of authority by which Lt. Colonel Cuyler, the Landdrost of Uitenhage, thought proper to grant an exemption to certain Individuals from the payment of Fines that had been ordered to be received for allotments granted to them in Port Elizabeth, we have the honor to request that, after the perusal of the enclosed documents, you would have the goodness to inform us whether you ever understood it to be the intention of the Acting Governor to make a gratuitous appropriation of the Allotments in question to any particular description of persons, such as Mechanics, in consideration of their poverty, or with the view of attracting them to reside permanently in the new village of Port Elizabeth.

Lt. Colonel Cuyler has exhibited, in justification of his conduct, a Memorandum apparently in the hand writing of the Acting Governor Sir R. Donkin, and dated May 18th 1821, in which Lt. Col. Cuyler is directed to have certain allotments measured and marked, and to give over the same to certain Individuals whom he names, and to let others have certain Allotments and portions thereof that he points out.

We do not find in this Memorandum any such positive declaration of the intention of the Acting Governor to exempt the grantees from payment as we think would justify Lt. Col. Cuyler without further explanation in not making a demand upon them for the fines ; and as such intention (if it was ever entertained) appears to have met a direct contradiction in the letter addressed by you to Col. Cuyler, we beg leave to request that you will inform us whether you recollect the circumstances under which the grants of the allotments in question were made, and whether the intentions of the Acting Governor respecting the payment of the fines were such as may be collected from the tenor of your letter addressed to him under date 9th October 1821. We have &c.

(Signed) JOHN THOMAS BIGGE,  
W. M. G. COLEBROOKE.



[Copy.]

*Extract from a Letter from HARRY RIVERS, ESQRE., to LORD CHARLES SOMERSET.*

GRAHAM'S TOWN, 21st December 1824.

"MY LORD,—I have had the honor to receive Your Lordship's Letter of the 9th Instant, and I am truly grateful for your Lordship's intention of removing me from a situation which, as I have frequently before stated to Your Lordship, has been a scene of incessant fatigue, anxiety, and annoyance during the three years I have been Landdrost."

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[Copy.]

*Letter from LIEUTENANT COLONEL BIRD to the COMMISSIONERS OF ENQUIRY.*

LIESBEEK COTTAGE, 22nd December 1824.

GENTLEMEN,—In reply to the honor of your letter of yesterday, I beg to say that there does not appear to me to be any ambiguity in the letters written by me to Col. Cuyler, desiring him to claim payment from certain persons who had obtained building allotments at Port Elizabeth by valuation, and I am not aware that I wrote any subsequent letter on the subject to authorise a deduction from the sums therein mentioned. I was not with the Acting Governor at Uitenhage, and I do not recollect having received from him any copy of the memorandum alluded to in your letter, nor do I know whether it was, or was not, his instruction to Col. Cuyler to grant Erven to mechanics or others. It does however occur to me that there were certain inferior allotments directed to be appropriated to Mechanics and inferior tradesmen, both at Bathurst and at Port Elizabeth, and that those at the latter place were situated on the hill, near to the Pyramid; whether they were to obtain them gratis I am ignorant. My recollection is very indistinct on these points, I think, nevertheless, that in the colonial office, in the department of Mr. A. de Smidt, something

on the subject will be found. There was a Chart made of Port Elizabeth by Mr. Swan the Surveyor, on which the spots so allotted will be seen. I should also recommend that Mr. De Smidt may be called upon to shew upon what documents my two letters were framed. It will be clear to you that the recommendation of the several individuals to obtain Erven must have originated at Uitenhage, and have been sent from thence to the Colonial Office ; a reference to the document may shew whether in the first instance any of those individuals were recommended to have their Erven without payment, or at reduced rates, and if such a document exists, it will then be probable that there was an oversight in the Colonial Office, which Col. Cuyler took upon himself to rectify.

I take the opportunity to add, that in the disposal of building allotments in the Interior my invariable recommendation was that they should be disposed of by public auction, and competition be thereby created and favouritism obviated ; directions to this effect will be found in the correspondence with the Landdrosts, and in replies to individuals applying for building Allotments ; these directions were however in many instances disregarded, or evaded, and I think must have been so in the cases before you. I have &c.

(Signed) C. BIRD.

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[Copy.]

*Letter from the COMMISSIONERS OF ENQUIRY to LIEUTENANT COLONEL BIRD.*

CAPE TOWN, 24th December 1824.

SIR,—As we have been informed, that at the interview which His Excellency Lord C. H. Somerset held with the Caffre Chiefs in the year 1819, at which you were present, that you took notes of the conference, and as doubts appear to have subsequently arisen as to the understanding that then prevailed regarding the appropriation of the acquired Territory between the Fish River and the Keiskamma, and which gave occasion to a conference between Sir R. S. Donkin and the

Chief Gaika in the year 1820, we have the honor to request that you will favor us with an explanation of the result of the conference at which you were present in 1819, and in particular, whether it accords with your recollection of the conditions to which Gaika is understood to have assented, that the intervening Territory between the Fish and Keiskamma Rivers should remain absolutely unappropriated or that the restriction upon its occupation should only apply to the old Colonial Boors, and not to the British Settlers, that were at that time expected to arrive, as it would appear that a considerable part of the Land in question had not been occupied by the Tribe of Gaika, and especially, that part of it which lies contiguous to the sea; we are desirous of being informed by you, whether the other Chiefs who were understood to be present at the conference of 1819 expressed or manifested their assent to the arrangement by which the Land in question was to be evacuated by the Caffres or otherwise appropriated. We have &c.

(Signed) JOHN THOMAS BIGGE,  
W. M. G. COLEBROOKE.

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[Original.]

*Letter from LORD CHARLES SOMERSET to EARL BATHURST.*

CAPE OF GOOD HOPE, 27th December 1824.

MY LORD,—The enormous Expences which the Establishments attendant upon settling the British Emigrants have necessitated, have been so heavy a drain upon the resources of this Settlement, that I feel myself called upon to bring the subject under Your Lordship's most serious consideration. I have therefore drawn out (which I have the honor herewith to transmit) a correct Statement of the actual Expence hitherto incurred by the Colony on account of the British Settlers, amounting to Four Hundred and Three Thousand One hundred and Thirty five Rixdollars, One Skilling and one fourth of a Stiver, and of an encrease of permanent annual Expence of Forty Thousand two hundred and Fifty Rixdollars three Skillings and two Stivers.

The whole of this may be considered as a dead Loss to the Colony, as these Persons brought with them no Capital, pay no Tax, and have in no wise contributed to augment the prosperity of the Colony. This ruinous pecuniary Exertion on the part of the Colony has been made, in order to second and further the wishes of the Mother Country in effecting a successful Result to the measure of settling British Emigrants in South Africa.

The Finance of this Government was in so flourishing a state previous to the arrival of the Settlers, that I flatter myself it might even have borne the heavy Expenditure thus thrown upon it, had the Colony not experienced a series and succession of misfortunes unparalleled I believe, in the same space of time, in the History of any Country.

In 1819 the Inhabitants of this Country left their Homes, their families and their Farms, and repairing to the Frontier, succeeded by an energetic Firmness and constancy (never exceeded) in repelling the common Enemy, suffering without a murmur the severest privations. The dangerous attacks of a numerous and powerful nation were thus checked without putting the Mother Country to the Expence of sending a single Man, as a reinforcement, and without one shilling having been drawn or borrowed from the British Treasury ; but the effects could not but be felt throughout the Colony. The absence of the Farmer Eight Months from his home (comprising the whole of the sowing Season) could not fail to affect the agriculture of the Colony generally. All however might have recovered, had a bountiful season followed.

In lieu of such a blessing, a blight prevailed throughout the Colony in 1820.

In 1821 Blight throughout, in 1822 Blight again with the additional Visitation on the 19th July of a Tempest that injured all, and destroyed the greater part of the Buildings on the Western side of the Colony. The damages to the Government Buildings alone might be computed at Twenty five thousand Pounds Sterling.

In 1823 Blight on the Frontier, and a half crop only, which yielded very badly on the Western side of the Colony. In October a most destructive Storm on the Eastern side of the Colony, which laid waste the whole Country.

Only a short time since a Storm has been experienced here (unprecedented at so advanced a period of the year) which has done extensive mischief. The reports of the damage done to the Government Buildings and Bridges are very serious. The Church, Barracks, Main Guard House, and various other Buildings at Simon's town are reported as destroyed; the Custom House seriously injured, and a Torrent has forced its way through the centre of the Parsonage House.

In 1821 and 1822 it was necessary to import Bread Corn, Rice, &c., for the support of the Inhabitants. This importation of Bread Corn (heretofore one of our principal articles of Export) conduced to an excessive rise in the Exchange, and consequently to diminishing in proportion the intrinsic value of our Revenue. The Exchange is regulated *solely and entirely* by the encrease or decrease of Imports and Exports, and the degree in which the former preponderates over the latter.

I have further to state the large Encrease of remittance to England that has been created since my first assumption of this Government, viz.

Contribution to the Expence of the Colonial Audit Office £1,600 per annum;	
Pension to Mrs. Alexander . . . . .	300 "
Do. to Mrs. Sheridan . . . . .	300 "

Previous to the termination of the late War, the Exchange was about Eighty per cent. At present it is from One hundred and Sixty to One hundred and Eighty, thereby requiring more than a double amount in Currency to make these remittances, as well as in those for the discharge of the Colonial Agent's Salary, the pay of the Officers of the Cape Corps who are in England, &c.

Under the circumstances here stated I have to solicit Your Lordship's sanction to the Expense incurred by the Colony, exclusively for the Settlers, Four hundred and three thousand one hundred and thirty five Rixdollars One Skilling and one fourth of a Stiver, remaining a charge against the Commissariat Accounts, which will afford a timely relief to the Colony in the distress which has been occasioned by a succession of disastrous visitations. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Enclosure in the above.]

*Statement of Expenses incurred by the Colony of the Cape of Good Hope on account of the British Settlers since their arrival in 1820.*

	Rds.	shs.	sts.
Survey of Land . . . . .	18,261	7	1
Expense of Conveyance to their respective Locations . .	28,194	4	5
Provisions, Stores, &c. . . . .	28,289	6	5
Expenses of Office and other Contingent Expenses connected with the government of the Settlers . .	10,521	5	0
Miscellaneous connected with the Locating and Support of the Settlers . . . . .	3,935	6	0
Erection of Buildings, Construction of Roads, and Purchase of Houses consequent upon the new Establishment in the Albany District . . . . .	143,727	7	0½
Expense incurred in rendering the Mouth of the Kowie River available as a Port, and in the purchase of Vessels, Boats, &c, for that Establishment . .	51,308	4	1
Estimated Expense of Public Buildings erecting or about to be erected in the Albany District . . . . .	118,895	0	0
	403,135	1	0½

The ordinary and fixed Contingent Expense now annually incurred in the administration and defence of the Albany District, the chief residence of the British Settlers and the navigation of the Kowie River is Rds. 48,554 3 2.

Whereas the fixed annual Expense for the Albany District as a Sub Division of Uitenhage prior to the arrival of the British Settlers did not exceed Rds. 4,304 0 0.

Which shows an Increase in the annual fixed Expenditure of the Albany District of Rds. 44,250 3 2.

The Establishment of the District of Clan William (Sub-division of Worcester) where a proportion of the British Settlers has also been located does not appear to have been considerably increased in consequence, excepting the appointment of a minister of the English Established Church there, whose Salary is paid from the Colonial Treasury at the rate of Rds. 2,000 per annum.

[Original.]

*Letter from LORD CHARLES SOMERSET to EARL BATHURST.*

CAPE OF GOOD HOPE, 27th December 1824.

MY LORD,—In obedience to the commands conveyed to me in your Lordship's despatch of the 31st January last, I have the honour to annex for your Lordship's information the reasons by which I was governed in drawing upon His Majesty's treasury for a portion of the £125,000 sterling, for which authority had been given in consequence of Major Cloete's mission to England, and for postponing the drawing for any part of it until some time after the authority was received. I have also the honour to annex a statement in detail of the distribution which has been made of the money drawn, which I confidently hope will be satisfactory to your Lordship. The interest at five per cent on the whole sum drawn has been paid to the Assistant Commissary General up to the 4th August last.


Agreeably to your Lordship's instructions, I have forwarded to His Majesty's Commissioners of Inquiry copies of all these documents. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Enclosure No. 1.]

*Reasons for drawing upon England for a portion of the £125,000 sterling, for which authority had been given in consequence of MAJOR CLOETE'S Mission, and for postponing to draw for any part of it until some time after the authority was received.*

The great and serious mischief caused to individuals, as well as to almost every government building at the west end of the colony, by the tremendous tempest which occurred in July 1822, not only necessitated the precaution of being authorized to draw succour from the parent country, but called also for the adoption of some measure of *immediate relief* until the pleasure of His Majesty's Government should be known.



For this purpose a temporary measure was resorted to of forming a fund of four hundred thousand rixdollars, two hundred thousand rixdollars of which to be advanced to the sufferers through the magistracy of the respective districts (making the districts responsible for the interest and capital thus advanced), and the remaining sum to be placed at the disposal of the bank, to afford relief to agriculturists and others who had suffered from inundation and repeated blight.

The enclosure will show how and to whom these sums have been disposed.

This fund was thus formed :—

	Rds.
An addition was made to the paper currency of . . .	200,000
Borrowed from the bank . . . . .	100,000
Do. from the 500,000 Rds. fund . . . . .	50,000
Do. from the Somerset Farm fund . . . . .	50,000
	<hr/>
	Rds. 400,000

It was an object which the government had much at heart that the temporary measure above particularized should have the effect of extricating the colony from its difficulties without resorting to the measure of drawing upon the British treasury ; but calamity succeeded calamity so fast that all expectation at length vanished of being able to destroy the paper money created on the emergency of the moment or of repaying the sums borrowed, and rendered it impolitic for the colonial government to defer any longer availing itself of the salutary aid offered by the British Government. It is incumbent upon me to explain that the state of the money market here is so easily shaken that even then it was necessary to observe extreme caution in drawing for the money ; £15,097 10s. sterling was the utmost drawn at one time, and the drawings were at such a distance from each other as not to cause any material concussion in the rate of exchange. The whole sum drawn has been only £35,000 sterling, very little more than enough to discharge the 400,000 rixdollars created and borrowed.

No money has yet been drawn of the £25,000 granted for the rebuilding and repairs of government buildings, bridges, &c. although large sums have been necessarily expended ; but an unwillingness to incur a debt which would necessitate interest



being paid on it, led to the postponement and tardiness which took place.

The buildings that call for absolute repair, and for which it will not be possible to avoid drawing, are the church at Simon's Town, razed to the ground. The custom-house at the above place is most seriously injured, and the government house at Cape Town rendered unsafe to inhabit; indeed the Governor himself had a most providential escape from being killed on the spot a short time since, when in his own sitting-room, by the falling of a part of the roof. Two wings of the government house were supported by props *in* the rooms, until the repair of them were effected, as stated in the Governor's letter to Earl Bathurst under date 9th of October last, No. 118.

The repairs that have already caused large expense are several government buildings in Cape Town; all the out-buildings and offices at Newlands, and the public bridges in the vicinity of Wynberg.

It is to be expected that further application for succour will be made from the districts, particularly the Albany district, which they have hitherto been deterred from doing, as they are responsible for every sum advanced, as well as for the interest which arises on it.

Although very numerous cases might be adduced to prove the great distress that has occurred, and although that distress is a matter of but too great notoriety here, it may be proper perhaps to annex one case received not long since, to give a fair idea of the privations the inhabitants of the Cape have and in many cases still suffer.

It may be observed, that had the government begun the drawing at an earlier period it would have been considerably more disadvantageous to the interests of the British treasury; the funds being, when the permission to draw was received, at an average of seventy-six, whilst at the period of the latest accounts from England they were at upwards of ninety-four, yielding little more than three per cent interest, although the colonial government pays five per cent upon every sum advanced to it.

(Signed) CHARLES H. SOMERSET.

(Enclosure No. 2.)

To His Excellency the Right Honourable Lord Charles Somerset, Governor and Commander in Chief of the Cape of Good Hope.

The Petition of Hermanus Hendrik Fouchee Steps. Zoon, living in the district of Swellendam under the Field Cornetcy of Willem Johs. van Zyl, along the River Willem Nels River, Humbly sheweth,

That your Memorialist is a native of this colony, born in the district of Swellendam, and living about eight hours distance from the village.

That your memorialist has for many years maintained the character of a sober industrious country farmer, but that the pressure of misfortunes and his own sickness have brought him to poverty and misery.

That your memorialist has seen the blight of his harvest for the last four seasons : that his cattle, bullocks and horses have died ; and that with a wife and seven children, together with a venerable mother looking to him alone for support, his distress is inexpressible. To add to his sorrows, the four years arrears of his taxes are demanded, a pressure which he is totally unable to meet ; that he was compelled on the land surveyor inspecting and measuring his grounds to dispose of his last ox to defray that expense ; and in the last income tax payment, was obliged to sell his bedstead to pay the same, the fine upon which having been in arrear of four rixdollars, he is not as yet able to collect.

That your memorialist has so journeyed to town to supplicate the high authority of your Excellency to be absolved from these arrears, and to solicit the assistance of his countrymen in supplying him with a few of the necessaries of life, having fared for four months on land turtles, with no bread.

In looking to your Excellency your memorialist feels great relief to his dejected spirit, being well persuaded that the mercy he solicits at your Excellency's hand will be granted to your memorialist.

And for which your memorialist will ever pray, &c.

(Signed) H. H. FOCHEE.

CAPE TOWN, 19th August 1824.

[Original.]

*Letter from MR. PETER TAIT to EARL BATHURST.*

LONDON, 27th December 1824.

MY LORD,—In obedience to your Lordship's wish expressed in the answer which your Lordship did me the honour to return to my letter, I proceed to state such observations as occur to me respecting the agricultural state of the District in which I was located at the Cape of Good Hope, and, as I have had opportunities at different times of visiting many other parts of the Colony, to add, with your Lordship's permission, such observations as occurred to me on those occasions.

In the first place I have to inform your Lordship, that I was located in the District of George, the Town bearing that name being situate about half way between Cape Town and Graham's Town, and on the east side of a flat, but fertile country, extending about 24 Miles in length and about 8 Miles in breadth called Auteniqua Land, being the place of my immediate location.

The District of Auteniqualand was originally retained by the Dutch Government with a view of being converted into a Corn District, and it was afterwards, by a Proclamation of Sir John Cradock, granted out at perpetual quit-rents; this district can be converted into tillage at much less expense than most of the other districts of the Cape, and, with proper attention and management, is in an agricultural point of view capable of great improvement, besides possessing many local advantages, such as having a superabundance of timber, the Knysna contiguous to the Forest and Mossel Bay, where a Government store is erected capable of containing a great quantity of grain.

The Dutch Government, whilst the Colony was under their protection, issued a notice to the Boors that they would take all the grain (wheat) that could be delivered at Mossel Bay; during the first year the notice was complied with, but during the second year, in consequence of an abundant harvest in the Cape districts, the Dutch Government withdrew from their engagement. In the meantime the Store at Mossel Bay was

filled with wheat, and there it remained till it was totally useless; and scarcely at any future time has the District in question raised more grain than was necessary for the consumption and support of its inhabitants.

In 1819 notice was issued by the Burgher's Senate to receive grain at Mossel Bay; but such notice being so near the approach of harvest, the Boors were not prepared to meet it, therefore a small quantity only was delivered. This notice was repeated the following year, and in consequence, a very considerable extra quantity was sown; but during the three succeeding years that unfortunate calamity the rust swept all before it, not only in the district in question, but in all the other districts of the Colony, so much so as to create almost a famine; and I may be allowed to remark that His Excellency Lord C. H. Somerset was upon those distressing occasions, as upon all others, most kind and benevolent towards the inhabitants, and exerted his utmost and most anxious endeavours, not only for their benefit, but for the welfare and prosperity of the Colony in general. The Corn Mills in the Colony (those in the vicinity of Cape Town excepted) are on the most miserable and inefficient scale, very few being capable of grinding more than one English quarter of wheat in the space of 13 hours. Now, as the district of George is well supplied with water for all purposes, I may be allowed to state it as my opinion, that great benefit would result to the Colony at large were Flour Mills on a proper and efficient scale erected at convenient and proper places for the purpose of converting wheat into Flour, instead of storing the former, as is the present Custom, for, in the first place, by these means provision would be made against any subsequent calamity arising from the rust, in the next place it would prevent the necessity of the Burgher's Senate interfering with the Corn Trade, and by barrelling the Flour it would keep a considerable time and be a great saving against the destruction of the wheat caused by the insect called the weevil; and were a market also established at George Town, the Boors in the interior would be induced to bring their grain thither and return with Timber, with which they can only be supplied from that district.

The Colony at present is at a great annual expence in the importation of Rice, and therefore, were Barley Mills erected

(there not being one in the Colony) a great saving on that head would, in my opinion, be the consequence.

It has been asserted by a late writer upon the Cape, that the Colony is not capable of raising corn sufficient for the support of its present population and never can be lower than One hundred and fifty Rix Dollars per ten Muids. Now, in my humble opinion, this assertion is completely erroneous; and, as a proof of it, the Crop of 1823 sold in March 1824 as low as Eighty Rix Dollars per ten Muids, and even corn was, to my knowledge, exported from the Colony, and that so soon after the distress occasioned by the three years failure of the Crops.

The Colony to the eastward of Zwelldam is at present laying in a dormant and unproductive state from the want of a market at George Town; another advantage, therefore, would arise from the establishment of a market there, which is, that the whole of that part of the Colony would be brought into a state of productiveness, and would even with its present population be capable of raising corn for exportation, upon an average, to the amount of forty thousand pounds sterling annually, and the Bays at the mouth of the Breede River and Mossel Bay would afford every facility for exporting the same.

The Cape sheep are a breed of very unprofitable animals, and ought, in my opinion, to be gradually extirpated, and the merino and South Down Breeds substituted in their place. Of the former there are now about 8,000 in the Colony, and they thrive as well and attain a greater weight than the Cape sheep. The Mutton also is preferred by the Inhabitants.

The South Down breed has been, I believe, but lately introduced into the Colony; and I have no doubt, in my own mind, of their turning out well. I am therefore of opinion that, by encouraging and cultivating with due care and attention the Merino and South Down breeds of sheep, and by gradually getting rid of the Cape breed, the advantages to the Colony would be very great; and, were there in the Colony at this period, the same number of merino and South Down Sheep as there is Cape Sheep, the quantity of wool, by a moderate calculation, would produce (allowing one fourth of the present price to be diminished by the extra quantity brought to

market) the Sum of One hundred and eighteen thousand one hundred and twenty five pounds sterling annually.

In consequence of the dreadful distress occasioned by the three years failure of the Crops, sheep can rarely be purchased for slaughtering above two years old, whereas about Six years since, they could be readily purchased for the same purpose four years old and upwards ; now, were the number of merino and South Down sheep increased so as to avoid the necessity of killing them under 4 years old, the quantity of wool would of course be also increased to the amount or value of nearly seventy eight thousand seven hundred and fifty pounds Sterling yearly.

In the Cape Calendar of 1824 an account is given by Mr. Van Breda of the management of his flock, and he here states that by putting merino Rams to a breed of Cape Ewes the Fleece of the latter more nearly approached to wool. It is well understood by practical men, that by crossing the breed of sheep or black cattle, the crosses can never be depended upon, and will revert back to their original breed ; therefore should that system be carried into effect, it certainly will defeat the purpose that is so earnestly wished for, as a very few fleeces of inferior wool would render a whole pack of pure, genuine wool, totally useless to the manufacturer, and ultimately the Cape wool would not find a market.

The Boers state one objection to the growth of wool in the Cape (viz.) the want of proper places for washing it ; now, in my opinion, that objection might be removed by constructing proper reservoirs in the districts where there are no streams of water.

The Breed of Black Cattle in the Colony is by no means deficient for agricultural purposes, tho' the cows I admit are very deficient for the purposes of the dairy. I am of opinion that beef never can be cured to any extent, as the artificial grasses will not thrive in that Colony in consequence of the severe droughts with which it is frequently visited, therefore the cattle are not sufficiently fed to admit of the beef being salted so as to prevent it from becoming dry and hard.

The Cape Horses are very small and very ill adapted to the purposes of the colony. His Excellency Lord Chas. Somerset introduced the English breed of horses at the Cape, and its

immediate districts, and which in a short period has improved beyond all calculation, as a proof of which, in Cape Town two horses perform the same work that required six formerly. In the interior districts a breed of strong English Agricultural horses would be of great benefit to the country, as it would be the means of rendering a smaller number of labourers necessary.

The roads in the Colony require attention. The road, which is now nearly finished at the French hoek, will be a great facility, by avoiding the mountain of that name, and making an easy conveyance over that part of the country. It would, in my opinion, be a great improvement to the Colony were the roads properly surveyed from Cape Town to the districts on the frontiers, more particularly to Graham's Town, with a view of forming Roads to lead from the public line of road to the Bays and interior districts; the expence would be trifling, as the Roads would neither require forming nor materials, the line or direction being all that would be necessary, except where bad passes and mountains occur. From the extraordinary height the Rivers attain in cases of flood, Bridges are by no means adviseable; ferry boats are, in my opinion, much more preferable. At present it is a very great burden, and frequently a matter of complaint, on the part of the Boers who are situated near the public roads, by being obliged to accommodate the numerous travellers passing from Cape Town to Graham's Town. It is also very unpleasant for the traveller to be obliged to force himself upon the Boer's residence and hospitality. I would therefore suggest, that, instead of the Outspan places reserved by Government for grazing the Cattle of the Travellers, Houses and proper Buildings should be erected at convenient distances on the Roads with a sufficient quantity of Land to each for the accommodation of Travellers and others, allowing the occupiers of such houses the Government allowance in forwarding the Post and the Privilege of the Spirit Licence; and this, in many instances, would be a good living for discharged veterans.

The Cape wine is of low estimation in England. The Constantia vine having such a superiority over all other vines in that Colony, led my curiosity to minutely examine both Cloete's and Colyn's vineyards, and I found both to be of the same soil, namely a decomposed granite, the adjoining soil

being a rich red loam. The wine from Drakenstein and the Paarl are the next in estimation. I was not in Drakenstein, but examined the vineyards at the Paarl, and found the higher part of them composed of a similar soil to Cloete's and Colyn's.

The general System of the vine growers at the Cape is to make choice of low swampy situations as being more sheltered from the South east winds. Those situations certainly produce wine in much greater quantity, but never will produce it of good quality ; and were experiments made in higher and more appropriate situations, I have no doubt that the Cape wines would cope with those of other countries.

I may remark of the Colony generally that it has the superiority over many others from its climate, and none can raise grain with so little labour and expence, but the want of labourers for reaping, and machines for thrashing the corn are much felt, as are also, as I have before remarked, the want of markets, and the consequent fluctuation of prices occasioned by the interference of the Burgher's Senate. It is also necessary to observe that farming at the Cape, in all its branches, is very different from that in England ; and that the most experienced English Farmer, both in practice and theory, would require to be two years resident in the Colony before he could be aware of the real nature of the Soil and Climate, the dangers his Stock is liable to, and other difficulties, which experience alone could teach him.

It may be said that the Colony, in an agricultural point of view, is at present in a torpid state and will not be easily roused or brought into action without the aid of the British Government, and, owing to the unfavourable (but in my opinion unfounded) reports inculcated by the disappointed and inexperienced Settlers, but few British farmers would be induced to embark their capital in the Colony ; and the failure of three years Crops, coupled with other circumstances, has impressed upon the minds of the ignorant and illiterate Boers that their forefathers' system of management is the only one to be pursued and that they should by no means deviate from it in future.

I may be allowed to add that, after the first two years failure of Crops by the rust, I was induced to try, at considerable expence to myself, no less than six different experiments



with the seed wheat sown for the third year's crop, in the hope of preventing a third year's failure from the same calamity, but, I am sorry to say, to no purpose.

From experience and local knowledge I am of opinion that were the capabilities of the Colony fairly and judiciously brought into action, it would not only in a few years be in a situation to support itself with little or no expence to the British Government, but would become of importance as a British Settlement in many other productions (such as Tea, Silk, &c., &c.) which never have been nor ever will be introduced unless by the British Government.

My Lord, I trust I may be pardoned in the Liberty of stating to your Lordship anything in reference to myself individually. But in consequence of the three successive years of rust not only my means became exhausted but my future prospects there completely ruined, and those unfortunate but unavoidable causes, alone induced me to return to England after a residence of nearly seven years in the Colony.

Thus circumstanced, My Lord, might I be allowed humbly to solicit your Lordship's favour and interference in my behalf, by conferring upon me any situation or appointment at the Cape which your Lordship might be pleased to consider my local knowledge and experience and humble abilities adequate to; this, My Lord, circumstanced as I am at present, would be a Favour indeed, and one that should ever command my most sincere and grateful acknowledgements. I have &c.

(Signed) PETER TAIT.

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[Copy.]

*Letter from* LIEUTENANT COLONEL BIRD *to the* COMMISSIONERS  
OF ENQUIRY.

LIESBEEK COTTAGE, 27th December 1824.

GENTLEMEN,—I have only this instant received your Letter dated 24th Instant. In reply to it I have the Honor to state that I was present at the interview between Lord Charles Somerset and the Caffre Chiefs in 1819. I did not take notes

on the spot, of what passed on that occasion. Mr. Stockenstrom, Landdrost of Graaff Reynet, conducted the conference. I have a very clear recollection that it was explained to Gaika and the other Chiefs that the Ceded Country should not be occupied by Caffres or Colonists. All the Chiefs present at the Conference assented to the Arrangement then entered into, Congo, whose interests were most affected by the Cession, certainly assented.

The intentions of the British Government relative to settling the Zuurveld had not (to my knowledge) reached the Colony at the time, I am certain I did not know of such intention till subsequently, when it was first suggested to occupy the ceded Country by English Settlers. I expressed my view of what had passed at the conference, to the Governor as above explained, who I found had a different impression with regard to it. Lord Charles Somerset I understood from Sir R. Donkin, spoke to him relative to this difference of Opinion as to the purport of the conference, and Sir R. Donkin communicated to me his having had an Interview with Gaika at which that Chief assented to the occupation of the ceded territory.

I have &c.

(Signed) C. BIRD.

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[Original.]

*Letter from LORD CHARLES SOMERSET to EARL BATHURST.*

CAPE OF GOOD HOPE, 28 December 1824.

MY LORD,—I have the honor to inform Your Lordship that I some time since received a proposal from a Settler named Biddulph to convey the mail from Uitenhage to Graham's Town and the Kowie Mouth in a light travelling waggon, capable of conveying passengers in lieu of by a led Horse or Horses as at present.

The minor arrangements having been made with regard to the Hours of arrival and departure and Security having been given for punctuality in the performance I have not hesitated to authorize the additional Expence which will be incurred by

an Establishment of a mail waggon viz. One thousand seven hundred and twelve Rixdollars annually (or about One hundred and twenty two Pounds Sterling), and I trust in doing so that I have only anticipated Your Lordship's entire approbation and Sanction of a measure which tends to introduce into this remote Settlement one of the most beneficial Establishments of the Mother Country, and which I trust will in time extend itself over the whole Colony. It is matter too of considerable gratification that the Colony is indebted to a British Settler for the Introduction of this useful measure.

May I request that Your Lordship will have the goodness to notify your Sanction of this Encrease of Expenditure to the Auditors of Colonial Accounts. I have &c.

(Signed) CHARLES HENRY SOMERSET.

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[Original.]

*Letter from LORD CHARLES SOMERSET to EARL BATHURST.*

CAPE OF GOOD HOPE, 28th December 1824.

MY LORD,—In obedience to Your Lordship's commands contained in Your Lordship's Despatch of the 25th July last, to provide a House for the gentleman Your Lordship proposes sending out as Head of a Classical School here, I have the honor to inform Your Lordship that I have agreed to the purchase of a House at Eighty thousand Guilders (about £1900 Sterling) in every respect suited to the purpose. It is airy and well situated, commodious and capable of accommodating a considerable number of Scholars in its present state. It has a good Garden, and there is ample space for adding a large School Room should the Establishment prosper to the extent that is expected.

I have the honor to annex the Report of the Inspector of Government Buildings upon the premises in question, by which Your Lordship will perceive that I have made the purchase at Four Thousand Guilders (about Ninety five Pounds Sterling) under the valuation. The premises cost the Vender One hundred and four thousand Guilders (about Two thousand four hundred and Seventy Seven Pounds Sterling). Of this

purchase Money only 4306 Rixdollars and 4 Skillings (about Three hundred and Seven Pounds Sterling) is to be paid, the remainder remaining at Interest and causing a rent of 1342 Rixdollars (about £96 Sterling) which I expected would have been more than met by the rent to be received for premises, the property of the Colonial Government, from the Commissariat Department.

It now My Lord becomes my duty to solicit Your Lordship's attention to a decision of the Lords Commissioners of His Majesty's Treasury conveyed to me in Your Lordship's Despatch of the 26th July last, No. 113, by which I am directed to make over a very valuable property belonging to the Colonial Government to the Commissariat Department without any compensation whatever. And I am compelled to state to Your Lordship that it is quite impracticable for the Resources of this Colony to supply the means for establishing the various Improvements tending to benefit the Community here so considerably authorized by your Lordship, if the property appropriated for these purposes is to be wrested from it without remuneration. Your Lordship will, I am persuaded, urge a different decision on the part of their Lordships when I inform you that the situation of the Buildings is so eligible that it is estimated that the Ground upon which they stand would alone fetch at Public Vendue Thirty Thousand Rixdollars (or about Two thousand One hundred and forty three Pounds Sterling).

In the correspondence which has passed on this subject with the Commissariat Department which I learn from Your Lordship's dispatch is in Your Lordship's possession, Your Lordship will perceive that the Colonial Secretary's Letter of the 4th December 1823, addressed to my Military Secretary (copy of which I have the honor to annex) states that the premises were required by the Colonial Government to be appropriated expressly to a Grammar School, and it was solely with a view of accommodating the Commissariat Department (Mr. Hewetson having stated the preference of the Situation for the purposes of his Department) that I acquiesced in relinquishing these premises and receiving a Rent equivalent to their value which might meet the Expence to be incurred in the purchase of a House for the Master of the Grammar School and the erection of a School Room, should it be ultimately required.

I conclude their Lordships' Decision has been made under the erroneous Impression that the Commissariat Department was entitled to the premises from having enjoyed the use of them unmolested for a long period of time, but it never can be argued that the bare circumstance of appropriating premises in a moment of War or Emergency to Services connected with the Army can justify the total alienation of a property the most valuable from its Locality of any in the possession of this Government. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Enclosure 1 in the above.]

COLONIAL OFFICE, 4th December 1823.

SIR,—His Excellency the Governor has directed me to communicate to you that the necessity of allotting spacious and airy premises to the important object of the Grammar School in Cape Town has rendered it imperative upon Him to require the Assistant Commissary General to evacuate and give up the Colonial Premises and Buildings occupied by that department in Strand Street. I am therefore to request you may be pleased to give notice to the Assistant Commissary General to that effect. I have &c.

(Signed) C. BIRD.

Chas. Augs. FitzRoy, Esqre., Military Secretary.

[Enclosure 2 in the above.]

CAPE TOWN, 4th December 1824.

SIR,—I beg leave to acquaint you for the information of His Excellency the Governor that in compliance with your letter of the first instant I made a minute Survey of the Premises situated in Reede Street at present occupied by the Reverend Mr. Hough.

The Dwelling House having recently undergone a repair with various improvements and an additional room substantially Built.

The Out Buildings Stables &c. now undergoing some partial

alterations and repairs the whole of which in their present situation I consider their value to amount to the sum of Eighty four Thousand Guilders for any private residence. Waiting your further Commands, I have &c.

(Signed) WM. JONES, Inspector of Buildings.

To Sir Richard Plasket.

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[Copy.]

*Letter from the Secretary to Government to the Colonial  
Medical Inspector.*

COLONIAL OFFICE, 28th December 1824.

SIR,—I am directed by His Excellency the Governor to desire that you will inform me what steps you have taken relative to the examination of Mr. C. Liesching in pursuance of the Instructions conveyed to you in my Letter of the 14th Instant. I have &c.

(Signed) RICHD. PLASKET, Secretary to Government.

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[Copy.]

*Letter from the COMMISSIONERS OF ENQUIRY to LIEUTENANT  
COLONEL BIRD.*

CAPE TOWN, 29th December 1824.

SIR,—Having occasion to advert to the political relations that were established with the Caffres subsequently to the expulsion of the Tribes that occupied the Zuurveld until the year 1812, we have been unable to ascertain whether the ascendancy of Gaika was recognised by the Colonial Government previous to Lord Chas. Somerset's visit to the Frontier and interview with that chief in 1817. We are induced therefore to request that you will have the goodness to inform us what were the relations that subsisted with the Caffre Tribes inhabiting the Borders, and especially with Gaika, between

the years 1812 and 1817 ; and whether that chief was considered to have established any claim to the support of the Government from the forbearance of his Tribe towards the colonists, or by his disposition to enter into and support those friendly relations which were calculated to promote the tranquillity of the Frontier and the safety of the Inhabitants.

We should further be obliged to you to state to us whether any negotiations were held with him before the year 1812, by which his supremacy was acknowledged over the Border Tribes, and what may have been the causes that produced a disappointment of the prospect of tranquillity that was expected to result from the expulsion of Slambie and his adherents from the Zuurveld in 1812. We have &c.

(Signed)      JOHN THOMAS BIGGE,  
WM. M. G. COLEBROOKE.

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[Office Copy.]

*Letter from* EARL BATHURST *to* LORD CHARLES SOMERSET.

DOWNING STREET, LONDON, 30th December 1824.

MY LORD,—With reference to the Instruction which I conveyed to your Excellency on the 24th day of October last directing that no final grants should be made of the Lands claimed by the Inhabitants of Bethelsdorp, I now transmit to your Excellency copies of additional representations which have been received from the London Missionary Society renewing their request upon this subject and expressing their dissatisfaction at the award made to the establishment of Bethelsdorp of a piece of land assigned to them for the purpose of raising firewood ; and I have to desire that your Excellency will at your earliest convenience transmit to me a detailed report upon the merits of the question which forms the subject of the application from the London Missionary Society.

I have &c.

(Signed)      BATHURST.

[Original.]

*Letter from* SIR RUFANE SHAW DONKIN *to* R. WILMOT  
HORTON, ESQRE.

BOLTON PERCY, NEAR TADCASTER, *December 30, 1824.*

SIR,—I have had the honor of receiving your letter of the 24th instant at this place, and in answer I beg leave to state that altho' I have not my letter of the 8th ultimo to refer to here, I could not have intended to convey to Earl Bathurst the impression that the purchase of the Wolvegat farm was conditional as affecting the Transaction between the Colonial Government and the seller of that Farm. The conditional part of the Transaction affected only the intended hypothecation of the Farm to the Settlers who were to have been placed on the River Zonder End; and, had that settlement taken place, the Amount paid by the Colonial Government for the Wolvegat would by this time have been in progress of liquidation; and in this sense only could I have intended to state the purchase as conditional, altho' it would have been more correct in me to have said that the advance of the purchase money was only contingent and Temporary. I have &c.

(Signed) R. S. DONKIN.

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[Copy.]

*Letter from* LIEUTENANT COLONEL BIRD *to the* COMMISSIONERS  
OF ENQUIRY.

LIESBEEK COTTAGE, *30th December 1824.*

GENTLEMEN,—I am honored by your letter of yesterday, proposing to me certain queries on the subject of the Political relations of the Colonial Government with the Caffre Tribes resident on the borders. I regret that having sent the greater part of my papers to England, I am obliged to reply to the points you require to have elucidated from memory and consequently with great brevity, perhaps also the information I shall endeavour to convey may neither be so satisfactory or so minute as you may expect or as I could wish.



From the period of Gaika's assuming the Chieftainship, to which he succeeded by right after the death of his father Hahabe and of his elder brother Omlao, although his uncle Zambie had usurped the chief authority for some time, his ascendancy over the Tribes on the borders West of the Kay appears to have been uniformly acknowledged by the Colonial Government, and to have been virtually so by the several petty chiefs who residing on the right bank of the Great Fish River came more frequently in contact with the Colonists. Thus we find that the Colonial Government frequently called upon Gaika to compel the petty Chiefs to withdraw from the colony, and on the other hand we find the petty chiefs alledging Gaika's power and enmity as the reasons why they did not recross the Great Fish River, and praying the friendly interference of the Colonial Agents to effect their reconciliation with their chiefs, in order to their having it in their power to comply with the wish of the Colonial Government. In effect we also find that Gaika at the instance of the Colonial Government agreed to receive them again into his friendship. When subsequently the power of Gaika was much weakened by the internal quarrels in which he became embroiled, he told the Colonial Agents that he feared the Caffre Emigrants would not quit the colonial territory unless the Colonial Government compelled them to do so by force.

Previous to the commencement of the operations which finally drove Zambie, Congo, and the other intruding chiefs out of the colony, notification was made to Gaika that the Colonial Government was about to take this step, and after it had been effected another communication was made to him of the result, so that during that period of open hostility the Colonial Government remained upon apparently amicable terms with Gaika. It will appear from these circumstances that the Cape Government uniformly acknowledged Gaika's ascendancy prior to the interview with the Caffres in 1817.

Between 1812 and 1817 intercourse with the Caffres generally was prohibited ; but the depredations of these restless Savages being very considerable, many communications were made to Gaika in order to induce him to repress them. These were chiefly made thro' Mr. Williams, a missionary from Bethelsdorp (since dead), who had established himself at the source of the

Kat River, and whom Gaika treated upon very friendly terms. In these communications Gaika uniformly professed the most anxious readiness to check the marauding system of which the colonists complained, and which in fact was most galling and distressing to them. But Gaika's power was not equal to the task of controlling the plunderers, if it be admitted that he was sincere in his professions, of which there is great doubt; as however there were, at that time, no proofs of his insincerity, it was deemed prudent to give him credit for good faith and support him accordingly. But even this had not the effect of procuring greater repose to the colonists. It is true that since 1812 no attempt appears to have been made by the expelled tribes to resettle in the colony, but the quarterly depredation returns shew the great extent of plunder driven off subsequent to that period by the marauding parties, which can only be attributed to the habits of the Caffre people, and to the interest the chiefs are believed to have in the success of the Plunderers, which has caused them to encourage rather than repress the offenders. It is now ascertained that Gaika seldom acted with entire good faith in the Promises and assurances he made to the Colonial Authorities. I have &c.

(Signed) C. BIRD.

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[Copy.]

*Letter from R. WILMOT HORTON, ESQRE., to MR. GEORGE GREIG.*

DOWNING STREET, 31st December 1824.

SIR,—In your communications with me you informed me that you had received a sum of money from the colonial government of the Cape of Good Hope for your printing presses and printing materials. You stated that your presses had been made over to an individual who was using them for the purpose of printing, and you requested that Lord Bathurst would direct the restitution of those presses to you on payment of a certain sum of money.

It appears from the statement of Dr. Philip, of the London Missionary Society, that those presses were not nor ever had

been your property, and that consequently you could have no possible claim in law or equity for their restitution to you, but that, on the contrary, they were the property of the London Missionary Society, and were only lent to you; and that at the very time when your newspaper was suppressed, it was intended by Dr. Philip to take those presses from you, in consequence of the improper use which you appeared to be disposed to make of them.

It appears also, that you stated to the Governor, Lord Charles Somerset, positively and unequivocally, that these presses, as well as the types used by you, were your own property, and that you had sunk a large sum of money in the purchase of them.

With reference to the communication thus made by you to the Governor, Dr. Philip states that no purchase of the presses was ever made by you, and that he even declined to receive any remuneration for the use which you had of them. And in support of Dr. Philip's claim to the presses, on the part of the London Missionary Society, to whom he asserts that they belong, he has produced a copy of a document, (of which the original is in his possession, and signed by yourself,) in the following terms:—"I hereby acknowledge to have received from the Rev. Dr. Philip two printing presses, belonging to the London Missionary Society, to put in order for printing."

(Signed)      GEORGE GREIG.

Your statements made to this department go to these points—that *your* presses having been taken from you, you were deprived of the means of pursuing your business as a printer; and also, that if on return to the colony, *your* presses should be restored to you, you would be enabled to recommence business. In your communications with this department, you have not made any distinction between printing materials and presses, whereas it is perfectly clear that if the fact be that the real proprietor or guardian of those presses was on the point of withdrawing them from you at the time when the government seal was placed upon them, you have not sustained the same character of injury which you had represented yourself to have sustained.

It is equally clear, that if Dr. Philip's statement be true,

you could have no possible claim, on your return to the colony, to demand the restitution to you of property which had never belonged to you.

I am therefore directed by Lord Bathurst to require your immediate written explanation on this subject, as in the event of his Lordship finding that you have intentionally deceived him in the communications which you have made, he will be compelled to interdict all future communication with you by this department. I remain, &c.

(Signed) R. W. HORTON.

[Copy.]

*Sketch of the progressive State of the Measure for converting and improving the Land Tenure in this Colony.*

The Proclamation giving effect to the said measure is dated 6th August 1813; the following Statement is corrected up to the 31st December 1824.

In the month of October 1814, I obtained from the Land Revenue Office the following Statement of the number of Places then held on loan; before that date the measure adopted in August of the year preceding can hardly be said to have begun to operate.

*Loan Places, occupied as such in October 1814.*

Districts.	Number of Loan Places.	Loan Places paying Half Recognition.	Loan Places held Rent Free.	Loan Places attached to Drostdies and Field Cornets.	Doubtful whether abandoned.	Doubtful, on which Report is expected.
Cape . . .	116	10	-	6	-	-
Stellenbosch . . .	125	5	-	7	-	-
Swellendam . . .	498	10	6	13	2	-
Graaff Reinet . . .	402	2	3	10	-	-
Uitenhage . . .	205	-	3	11	2	6
Tulbagh . . .	708	10	-	23	1	-
George . . .	237	-	3	1	3	-
TOTAL . . .	2,291	37	15	71	8	6

From these . . . . .	2,291 Places
Deduct, as not convertible, those attached to Drostdies and occupied by Field Cornets for the time being . . . . .	71
Deduct those doubtful, whether still occupied . . . . .	14
	<hr/> 85
Leaves the total of Places to be converted . . . . .	2,206

These 2,206 Places were then occupied in the following manner :—

Single Places by one or more individuals . . . . .	1,602
By 5 individuals holding 2 Places each . . . . .	10
99 . . do. . . 3 . do. . . . .	297
31 . . do. . . 4 . do. . . . .	124
16 . . do. . . 5 . do. . . . .	80
3 . . do. . . 6 . do. . . . .	18
2 . . do. . . 7 . do. . . . .	14
1 . . do. . . 8 . do. . . . .	8
2 . . do. . . 9 . do. . . . .	18
2 . . do. . . 11 . do. . . . .	22
1 . . do. . . 13 . do. . . . .	13
	<hr/> 2,206

*On the 31st December 1824.*

The measure for converting the Loan Tenure having then been ten years and five months (taken from the date of its promulgation) in progress, the following shows the result up to that date :—

Districts.	Loan Places convertible in October 1814.	Of these, on the 31st December 1824, pay		Since Con- verted.	Remain to be Con- verted.	Asked for and in Progress.	Re- main un- asked for.	Places occu- pied by Field Cornets and not included before.
		Recog.	No Recog.					
Cape . . . . .	110	8	2	12	98	22	76	6
Stellenbosch . . . . .	118	5	1	11	107	100	7	6
Swellendam . . . . .	483	8	4	56	427	346	81	9
Graaff Reinet . . . . .	392	2	4	60	332	50	282	10
Uitenhage . . . . .	186	—	6	162	24	21	3	1
Worcester . . . . .	684	8	7	45	639	457	182	17
George . . . . .	233	—	2	141	92	66	26	4
TOTAL . . . . .	2,206	31	26	487	1,719	1,062	657	53

The difference of rent is immediate, and must for a time be the only material visible benefit resulting from this measure. Probably for the first ten or twelve years from the commencement of its operation, no sensible difference will appear between the transfer duties accruing from the mutation of these newly converted places and those of the former "upstalls;" but when from the increase of population, increase of industry and other impelling motives, these lands shall become subdivided, which the occupiers could not do under the old tenure, there can be no doubt but that those duties together with other sources of revenue will then rapidly increase, and that several other essentially beneficial effects, resulting from an improved and extended cultivation, will be generally and strongly felt.

The following is the immediate difference resulting from an increased annual Rent. See Table on following page.

The object of this measure being, not merely to convert the loan tenure into grants in perpetuity, but also to fix one general tenure throughout the colony; by which, from the date of the measure, all future grants of land were to be made that of perpetual quit-rent. The following is a Statement of what has been so granted in each district up to the 31st December 1824.

*Lands granted on Perpetual Quit-rent up to the  
31st December 1824.*

Districts.	Extent of Land Granted.			Annual Quit-rent.		
	<i>Morgen</i>	<i>roods</i>	<i>feet</i>	<i>Rds.</i>	<i>skil.</i>	<i>stiv.</i>
Cape . . . . .	50,725	453	126	11,203	1	-
Stellenbosch . . . . .	121,520	135	35	9,336	-	5
Swellendam . . . . .	125,461	436	23	7,243	-	-
Graaff Reinet . . . . .	140,352	11	143	2,557	3	-
Uitenhage . . . . .	409,966	407	90	7,528	2	3
Worcester . . . . .	40,933	443	74	1,038	5	1
George . . . . .	78,629	20	0	1,579	7	-
Albany . . . . .	90,400	313	122	1,289	-	-
TOTAL . . . . .	1,057,989	422	37	41,775	3	3

*Difference of Revenue resulting from the Conversion of the above Loan Places into perpetual Quit-rent ; compared with the former Loan Recognition and Annual Renewal of Leases.*

Districts.	Converted Places.	These, as Loan Places, paid annually.	They pay now perpetual Quit-rent.	Difference of Annual Rent.	Number of measured Morgen.
Cape . . .	12	Recognition and for annual renewal of lease <i>Rds.</i> 30 each place . . . <i>Rds.</i> 360 Deduct $\frac{1}{4}$ recog: . . . 12	<i>Rds.</i> 6 -	<i>Rds.</i> 6 -	<i>Morgen</i> 329 0
Stellenbosch .	11	Recognition and for annual renewal of lease . . . 330 Do. . . do. . . . 1,680 Do. . . do. . . . 1,800 Do. . . do. . . . 4,860 Do. . . do. . . . 1,350 Do. . . do. . . . 4,230	1,455 6 - 860 - - 4,187 - - 3,417 4 - 10,433 5 - 2,006 2 - 7,465 2 -	1,107 6 - 590 - - 2,507 - - 1,617 4 - 5,573 5 - 666 2 - 3,235 2 -	26,388 329 0 16,427 274 0 120,250 172 0 149,403 150 0 459,237 502 0 96,018 513 0 921,307 348 0
<b>TOTAL . . .</b>	<b>487</b>	<i>Rds.</i> 14,598	29,825 3 -	15,227 3 -	1,186,033 488 0

*Total of Land held on Perpetual Quit-rent on the  
31st December 1824.*

Description.	Extent of Land so held.			Annual Rent paid.		
	<i>Morgen</i>	<i>roods</i>	<i>feet</i>	<i>Rds.</i>	<i>skil.</i>	<i>stiv.</i>
Converted Loan Places, in number 487 . . . . .	1,189,033	488	0	29,825	3	-
New Grants, including 15 years Quit-rents, that have merged into the same . . . . .	1,057,989	422	37	41,775	3	3
TOTAL . . . . .	2,247,023	310	37	71,600	6	3

*Old Tenure. Loan Property Places.*

In 1814, there were also fifty-six entire, and eight half loan property places, that is freeholds forming part of loan places, but converted to the extent of sixty morgen, according to the instructions of the then Governor Van Imhoff, dated 23rd February 1743. These places remain permanently in freehold to the extent measured, and subject to an annual recognition of Rds. 24, while the other part of the land attached to it, when held on loan, has reverted to government.

These Freeholds are situated as follows :—

In the Cape District . . . . .	15 entire, and 2 halves.
Stellenbosch . . . . .	11 Do. . . 1 Do.
Swellendam . . . . .	15 Do. . . —
Tulbagh . . . . .	13 Do. . . 5 Do.
George . . . . .	2 Do. . . —
TOTAL . . . . .	56 entire . . 8 halves.

*Fifteen years Quit-rent.*

The 15 years Quit-rent is a tenure that was first established in the year 1732 ; there are in all on this date (31st December 1824), 163 such leases ; they have from period to period been renewed, but since the operation of the measure for converting all revertible tenures, they are not any more renewed ; on application they are converted into perpetual quit-rent at the expiration of the term, or if new land adjoining them be granted to the occupiers before the term expires, the old quit-rents are made to merge into the new grants at the rent they pay at the time this takes place.

The renewal of several of these leases has not been attended to, and requires to be corrected. The present State of this Tenure is as follows :—



## Fifteen years Quit-rent Lands, occupied as such on the 31st December 1824.

Districts.	Number of Quit-rents, including those already expired.	Date when expire, and Aggregate Rent.	Already expired; Date when; and Aggregate Rent still paid.	Aggregate Rent per Annum.
Cape . . . . .	112	21 in 1824. 42 in 1825. 7 in 1826. — 70 . Rent, Rds. 505 4 -	3 in 1792. 1 in 1801. 2 in 1813. 2 in 1814. 1 in 1818. 1 in 1822. 32 in 1823. — 42 . Rent, Rds. 499 7 -	Unexpired. Rds. 505 4 - Expired . . . 499 7 -
Stellenbosch . . . . .	48	4 in 1824. 4 in 1825. 19 in 1826. — 27 . Rent, Rds. 285 5 -	1 in 1792. 1 in 1798. 1 in 1799. 1 in 1802. 3 in 1820. 14 in 1823. — 21 . Rent, Rds. 233 7 4	Unexpired. . 285 5 - Expired . . . 233 7 4
Swellendam . . . . .	1	1 in 1826. Rent . . . 2 - -	. . . . . 2 in 1810. Rent . . . 3 - -	Unexpired. . 2 - - Expired . . . 3 - -
Worcester . . . . .	2	. . . . .	. . . . .	. . . . .
TOTAL . . . . .	163	Rds. 793 1 -	Rds. 736 6 4	Rds. 1,529 7 4

*General Recapitulation :*

In October 1814 there were to be converted 2,206 Loan Places ; of which, on the 31st December 1824, 487 have been converted, containing 1,189,033 morgen, paying Rds. 29,825. 3. annual rent. Of new Land 1,057,989 morgen have been granted, paying Rds. 41,775. 6. 3. annual rent. The Loan Property Places is a permanent property vested in the owners, of which the same number always remains at a fixed annual recognition of Rds. 24 for each place ; there are 56 whole, and 8 half such places, taken at 60 morgen each make 3,600 morgen, paying Rds. 1,344 annual rent. Of 15 years Quit-rent Leases 163 remain, of which 98 have still different periods unexpired, and 65 have at different dates expired from 1792 to 1823, both inclusive, and these remain notwithstanding in the possession of the occupiers without having been renewed. This tenure pays, in general, at the rate of 4 skillings per morgen annual rent, in some instances more.

## COMPARATIVE RESULT.

*Total of Land held on Perpetual Quit-rent, on the  
6th September 1821 :*

Description.	Extent of Land so held.			Annual Rent paid.		
	<i>Morgen</i>	<i>roods</i>	<i>feet</i>	<i>Rds.</i>	<i>skil.</i>	<i>stiv.</i>
Converted Loan Places, in number 410 . . . .	970,800	22	0	25,649	-	2
New Grants, including 15 years Quit-rents merged into the same . . . . .	680,011	84	38	34,412	6	1
TOTAL . . . . .	1,650,811	106	38	60,061	6	3

*Total of Land held on Perpetual Quit-rent, on the  
31st December 1822:*

Description.	Extent of Land so held.			Annual Rent paid.		
	<i>Morgen</i>	<i>roods</i>	<i>feet</i>	<i>Rds.</i>	<i>skil.</i>	<i>stiv.</i>
Converted Loan Places, in number 443 . . . .	1,080,547	48	72	27,603	3	-
New Grants, including 15 years Quit-rents merged into the same . . . . .	807,053	268	90	37,427	3	3
TOTAL . . . . .	1,887,600	317	18	65,030	6	3

*Total of Land held on Perpetual Quit-rent, on the  
31st December 1823:*

Description.	Extent of Land so held.			Annual Rent paid.		
	<i>Morgen</i>	<i>roods</i>	<i>feet</i>	<i>Rds.</i>	<i>skil.</i>	<i>stiv.</i>
Converted Loan Places, in number 476 . . . .	1,169,613	184	0	29,431	3	-
New Grants, including 15 years Quit-rents merged into the same . . . . .	996,922	595	63	40,275	1	-
TOTAL . . . . .	2,166,536	179	63	69,706	4	-

*Total of Land held on Perpetual Quit-rent, on the  
31st December 1824:*

Description.	Extent of Land so held.			Annual Rent paid.		
	<i>Morgen</i>	<i>roods</i>	<i>feet</i>	<i>Rds.</i>	<i>skil.</i>	<i>stiv.</i>
Converted Loan Places, in number 487 . . . .	1,189,033	488	0	29,825	3	-
New Grants, including 15 years Quit-rents merged into the same . . . . .	1,057,989	422	37	41,775	3	3
TOTAL . . . . .	2,247,023	310	37	71,600	6	3

*Comparative Result of the State of the Land Tenure closed in 1821, 1822, 1823, and that closed in the Year 1824, deduced from the preceding Totals.*

The Comparative Result made up for the year 1823, showed that the land granted within the preceding year "amounted to a rate of one stiver per morgen; and that, compared with the former rates, the amount of annual revenue had suffered a proportionable diminution upon the preceding year of three fourths stiver per morgen, or Rds. 3,726. 6. on the total of land granted in that year. That on the grants made in 1823, there was again an additional diminution, compared with the rate of 1822, of one sixth stiver per morgen, or Rds. 848. 4. per annum; and that thence, by the grants made within these two periods, the revenue suffers a permanent annual loss of Rds. 4,575. 2. compared with the rate at which the lands had been granted in every preceding year, 1814 inclusive, yet that rate did not exceed throughout the colony *one and about two thirds stivers per morgen, or about one halfpenny per acre.*"

The result of the present year's Sketch shows that the total of land granted within this year amounts to 80,487 morgen, at an annual rent of Rds. 1,894, or at the rate of one and one eighth stiver \* per morgen.

(Signed) CHS. D'ESCURY,  
Insp. Gov. Lands and Woods.

Inspector of Lands and Woods Office,  
31st December 1824,

\* Now equal to  $\frac{1}{4}$ d. nearly:

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*Statement of Expenses incurred by the Colonial Government since 1st January 1822, for the Erection of Schools at the Cape of Good Hope, and the Annual Expense on account of Teachers, &c.*

	ORDINARY EXPENDITURE.	Rds. st. d.	Rds. st. d.	Rds. st. d.
1822.				
	Salary of two schoolmasters for instructing slaves in the Christian doctrine, from 1st January to 30th September 1822 . . . . .	360 - -	-	-
	Do., of the schoolmaster and schoolmistress of the government slave children, from 1st January to 30th September 1822 . . . . .	420 - -		
August 6	Salary of the English teachers in the country districts, from 2nd July to 1st October 1822 . . . . .	1,739 - -	780 - -	
Dec. 23	Do. of the schoolmaster at Simons Town, from 1st July 1821 to 30th June 1822 . . . . .	200 - -	1,939 - -	
				2,719 - -
	Fixed Contingent Expenditure :			
	Allowance for house-rent to the schoolmaster for instructing slaves in Cape Town, from 1st January to 30th September 1822 . . . . .	- -	72 - -	
Feb. 27	Sum paid in aid of the School Commission Fund . . . . .	- -	1,059 7 3	
				1,131 7 3
	Unfixed Contingent Expenditure :			
Oct. 21	Articles of haberdashery supplied for the use of the government slave children . . . . .	- -	19 6 -	
Nov. 5	Board and lodging of Mr. Rattray, English teacher at Tulbagh, from 2nd July to 11th October 1822 . . . . .	- -	628 4 -	

Dec. 16	Provision supplied to Mr. Innes, English teacher at Uitenhage, on his passage to Algoa Bay . . .	—	60	—	708	2	—
	Expense incurred in the year 1822 .	—	—	—	4,559	1	3
1823.	ORDINARY EXPENDITURE.						
	Salary of two schoolmasters, for instructing slaves in the Christian doctrine, from 1st October 1822 to 30th September 1823 . . .	480	—	—			
	Do., of schoolmaster and schoolmistress of the government slave children, from 1st October 1822 to 30th September 1823 . . .	560	—	—			
			1,040	—			
Dec. 9.	Salary of the English teachers in the country districts, from 2nd October 1822 to 30th September 1823 . . .	6,638	—	3			
	Do., of the public schoolmaster at Simons Town, from 1st July, 1822 to 30th June 1823 . . .	250	—	—			
			6,888	—	7,928	—	3
March 18	Fixed Contingent Expenditure :						
	Allowance for house-rent to the schoolmaster for instructing slaves in Cape Town, from 1st October 1822 to 30th September 1823 . . .	—	96	—			
	Sum paid in aid of School Commission Fund .	—	2,255	7	2,351	7	—

## Statement of Expenses.—continued.

		<i>Rds. st. st.</i>	<i>Rds. st. st.</i>	<i>Rds. st. st.</i>
	Unfixed Contingent Expenditure :			
Jan. 28	Stationery supplied to the school of the government slave children . . . . .	—	41 — —	
March 18	Wagon hire, to convey Mr. Dawson, English teacher, and his family to the district of George, and Mr. Ratray's baggage to Tulbagh . . . .	—	85 — —	
—	Wagon-hire, to convey Mr. Ratray and family to Tygerberg . . . . .	—	18 — —	
June 6.	Medical and surgical attendance on Mr. Blair, English teacher at Caledon . . . . .	—	183 — —	
Oct. 21	Wagon-hire, to convey Mr. Arnold, English teacher, to his station at Swellendam . . .	—	96 — —	
" 29	Purchase-money of a lot of ground adjoining the free-school, bought for the purpose of enlarging the said school . . . . .	—	2,166 2 4	2,589 2 4
	Expense incurred in the year 1823 . . . .	—	—	12,869 2 1
	ORDINARY EXPENDITURE:			
1824.	Salary of two schoolmasters for instructing slaves in the Christian doctrine, from 1st October 1823 to 30th September 1824 . . . . .	480 — —		
	Do., of the schoolmaster and schoolmistress of the government slave children, from 1st October 1823 to 30th September 1824 . . . . .	767 — —	1,247 — —	

	Salary of the English teachers in the country districts, from 1st October 1823 to 30th September 1824 . . . . .	8,588	7	4					
	Do., of the public schoolmaster at Simons Town, from 1st July to 30th September 1824 . . . .	375	-	-			8,963	7	4
	Fixed Contingent Expenditure: . . . .								10,210 7 4
	Allowance for house-rent to the schoolmaster for instructing slaves, between 1st October 1823 and 30th September 1824 . . . . .	-	-	-			96	-	-
April 7	Sum paid in aid of the School Commission Fund	-	-	-			3,226	4	1
	Unfixed Contingent Expenditure: . . . .								3,322 4 1
Jan. 23	W. Vowser, for stationery, haberdashery, &c., supplied for the school of the Slave Lodge . .	-	-	-			50	-	-
July 17	Do. do. do. . . . .	-	-	-			29	-	-
	Expense incurred in the year 1824 . . . .	-	-	-					79 - -
									13,612 3 5

## RECAPITULATION:

	Ordinaries.	Fixed.	Unfixed.	Total.
	<i>Rds. sh. st.</i>	<i>Rds. sh. st.</i>	<i>Rds. sh. st.</i>	<i>Rds. sh. st.</i>
Expense incurred in 1822 . . . . .	2,719 - -	1,131 7 3	708 2 -	4,559 1 3
do. 1823 . . . . .	7,928 - 3	2,351 7 -	2,589 2 4	12,869 2 1
do. 1824 . . . . .	10,210 7 4	3,332 4 1	79 - -	13,612 3 5



[Copy.]

*Letter from the Secretary to Government to the Landdrost  
of Graaff Reinet.*

COLONIAL OFFICE, 31 December 1824.

SIR,—I have received and submitted to His Excellency the Governor your letters of the 25th Ultimo and 16th inst. relative to the death of a Caffre who was shot by the Field Cornet Van der Nest, and the circumstances connected therewith.

In reply I am directed to acquaint you, that altho' the existing regulations with regard to the relations between the Caffres and the Colony order, that all male Caffres found within the Boundary of the Colony shall be shot, His Excellency cannot learn but with deep regret that the Field Cornet Van der Nest should have been so hasty on the present occasion.

In making this observation upon the Field Cornet's conduct, His Excellency has fully considered the hostile disposition and practices of the Caffres in that quarter, and probable hostility of the Individuals in question from their being armed, and altho' His Excellency is willing to acknowledge the zeal and activity of the Field Cornet in question and the imperative necessity of a continuance of that zeal and activity, he desires, that his anxious wishes in all cases not to risk the sacrifice of a Human Being may be impressed upon him and all Inhabitants of the Border, except in cases of positive self defence or when the public service shall render it indispensable. I have &c.

(Signed) RICHARD PLASKET, Sec. to Govt.

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[Copy.]

*Letter from the Colonial Medical Inspector to the Secretary  
to Government.*

31 December 1824.

SIR,—With reference to your Communication of the 14th Instant, I beg once more to state that with becoming deference to the construction put by the Legal Advisers to the Government, on the Proclamation relative to the admission of Medical Men to practise in this Colony, I still feel it to be totally inconsistent with a sense of right in the conscientious discharge of my Professional Duty, combined with the positive Regulations contained in the 2nd Article of the Proclamation of the 26th of September 1823, to admit to an Examination Mr. C. Liesching, he not possessing the regular Documents which are indispensably required.

I further beg leave to submit to His Excellency the Governor that Mr. C. Liesching cannot be considered as included in the Proclamation, the 2nd Article of which must have reference to persons educated in Europe, because they alone can produce a Diploma or the usual Certificate, without exhibiting which the Colonial Medical Inspector is not authorized to examine them.

Under these Circumstances, the case being anomalous and no precedent in existence to entitle Mr. C. Liesching to an examination, I humbly leave to His Excellency's Consideration to dispense with the same, and grant a License to Mr. C. Liesching to practise or otherwise, as shall seem meet to His Excellency.

(Signed) JAMES BARRY, M.D.,  
Colonial Medical Inspector.

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[Copy.]

*Return of the number of Slaves at the Cape of Good Hope on the  
31st of December 1824, according to the Books of the Slave  
Registry.*

Cape Town and District . . . . .	12,293
Simon's Town . . . . .	190
Stellenbosch District . . . . .	8,699
Swellendam Do. . . . .	3,041
Worcester and Tulbagh District . . . . .	3,826
Clanwilliam District . . . . .	885
Graaff Reinet Do. . . . .	1,845
Cradock Do. . . . .	861
Beaufort Do. . . . .	418
Albany Do. . . . .	400
Uitenhage Do. . . . .	1,132
George Do. . . . .	1,919
	<u>35,509</u>
Number of Slaves in the Western Province. . . . .	28,934
Do. in the Eastern Province . . . . .	6,575
Total number of Slaves in the Colony . . . . .	<u>35,509</u>

*Abstract of the Accounts of His Majesty's Receiver General at  
the Cape of Good Hope, for the year 1824.*

## REVENUE:

	<i>Rds.</i>	<i>skil.</i>	<i>st.</i>
Balance . . . . .	360,581	5	5 $\frac{7}{8}$
Lombard bank . . . . .	95,125	4	—
Discount bank . . . . .	47,251	3	2
Vendue duties . . . . .	148,658	6	5
Customs . . . . .	292,805	3	—
Land revenue . . . . .	102,278	5	2
Tithes and transfer duties . . . . .	373,014	—	2
Stamps . . . . .	154,059	4	—
Sequestrator's department . . . . .	50,602	6	5
Printing department . . . . .	17,347	3	—
Commando tax . . . . .	64,520	—	—
Port dues . . . . .	12,790	8	—
Postage . . . . .	27,490	6	4
Fines . . . . .	566	5	2
Fees of offices . . . . .	83,971	2	5
Do. wine taster's department . . . . .	19,233	4	—
Annual repayment by Stellenbosch . . . . .	6,000	—	—
Colonial government . . . . .	100,000	—	—
Colonial paymaster (reimbursements) . . . . .	8,121	—	— $\frac{1}{2}$
Miscellaneous receipts . . . . .	1,787	1	1
	<u>Rixds. 1,966,206</u>	<u>4</u>	<u>4<math>\frac{1}{2}</math></u>

## EXPENDITURE:

	<i>Rds.</i>	<i>skil.</i>	<i>st.</i>
Civil list, sterling salaries . . . . .	354,978	5	5
Colonial salaries . . . . .	561,577	3	5
Public buildings (erection of new and repairs of old buildings) . . . . .	133,998	5	5
Cape regiment . . . . .	283,697	3	4
Pay of Hottentot captains . . . . .	3,941	4	5
Commissariat expenses . . . . .	1,764	7	5½
Expenses of offices . . . . .	61,950	6	—
Criminal prisoners and convicts . . . . .	23,337	7	5½
Remittance to colonial agent . . . . .	27,750	—	—
Bible and school fund in aid of the same . . . . .	6,169	1	5
Freight and passage money, travelling ex- penses, &c. . . . .	2,374	2	—
House rent and lodging money . . . . .	6,119	7	1
Vessels and boats, purchase money and repairs of ditto, including charges of the harbour master's departments at out-posts . . . . .	48,858	3	4
Repair of the wharf . . . . .	1,763	5	—
Buckbay and Grootepost establishments . . . . .	2,287	5	2
Frontier service . . . . .	351	—	—
Government Constantia wine . . . . .	4,950	4	—
Commission of circuit . . . . .	14,766	5	2
Annual repayment by Stellenbosch (destroyed) . . . . .	3,000	—	—
Expenses of surveys . . . . .	7,523	7	2
Settlers . . . . .	775	—	—
Road through Fransch Hoek . . . . .	47,739	6	3
Leper's institution . . . . .	43,156	4	2
Commission for adjusting the claims of the settlers . . . . .	2,500	—	—
Albany levy . . . . .	5,246	—	—
Miscellaneous expenditure . . . . .	12,005	7	2
Balance . . . . .	300,620	3	½
<b>Rixds.</b>	<b>1,966,206</b>	<b>4</b>	<b>4½</b>

(Signed) J. W. STOLL, Rec<sup>r</sup>. Gen<sup>l</sup>.

## EXPENDITURE: SUNDRIES:—1824.

	<i>Rixds. skil. st.</i>		
Mr. Somervill, for having continued the vaccine virus in the district of George . . . . .	237	4	—
Resident of Plettenberg's Bay, for victualling and clothing the government servants at that place . . . . .	245	4	—
H. Murphy, Esquire, a remuneration for extra services as translator to the committee appointed for the purpose of defining the laws which are in force respecting slaves . . . . .	1,500	—	—
G. Muller, meat, &c., for lions . . . . .	225	—	—
Mr. T. Perry, for continuing the vaccine virus in the district of Graaff-Reynet . . . . .	75	—	—
Mr. Maharey do. do. at Swellendam . . . . .	150	—	—
Reverend Mr. Kicherer, for officiating at Worcester . . . . .	264	—	—
Executioner . . . . .	48	—	—
Mr. Cloete, for 100lbs. of gunpowder for the use of the road over the Du Toits Kloof . . . . .	100	—	—
J. Fyerstein, tools, &c., for stone quarry . . . . .	397	—	—
Dr. Thom, balance of books purchased for the use of the English schools in this colony . . . . .	379	5	2
E. Durham, articles supplied for making the road over Du Toit's Kloof . . . . .	947	3	—
Mr. Somervill, for continuing the vaccine virus in the district of George . . . . .	75	—	—
Executioner . . . . .	53	—	—
Messrs. B. and T. Wilmot, a compensation for the loss of six oxen . . . . .	500	—	—
Dr. Shand, for continuing the vaccine virus in the district of Stellenbosch . . . . .	300	—	—
Resident of Plettenberg's Bay, for victualling and clothing the Government servants at that place . . . . .	123	—	—
Lieutenant Mudge, for erecting two flagstaffs at the Kloof guard-house and Camp's Bay . . . . .	90	—	—
J. Fyerstein, tools, &c., for stone quarry . . . . .	240	—	—
G. Muller, meat, etc., for lions . . . . .	225	—	—
Mr. Maharey, for continuing the vaccine virus in the district of Swellendam . . . . .	75	—	—
Mr. Somervill, for do. do. at George . . . . .	75	—	—
Executioner . . . . .	121	4	—
Mr. T. Perry, for continuing the vaccine virus in the district of Graaff-Reynet . . . . .	150	—	—
J. Fyerstein, tools, &c., for stone quarry . . . . .	158	—	—
G. Muller, meat, &c., for lions . . . . .	225	—	—
Premiums given to the highest bidder, for Assegaay-bosch packet . . . . .	150	—	—
Carried forward . . . . .	7,129	4	2

	<i>Rixds.</i>	<i>skil.</i>	<i>st.</i>
Brought forward . . . . .	7,129	4	2
Mr. de Mock, the amount his slave Adam was appraised by the court of justice, previous to his emancipation by government . . . . .	1,600	-	-
Reverend Mr. Murray, for officiating at Cradock . . . .	150	-	-
Messrs. Mollet and Johnstone, a remuneration for the trouble of inspecting, valuing and removing the printing materials purchased from Mr. Greig . . . . .	100	-	-
Mr. T. Perry, for having continued the vaccine virus in the district of Graaff-Reynet . . . . .	75	-	-
Resident of Plettenberg's Bay, for victualling and cloth- ing the government servants at that place . . . . .	123	-	-
Hawkins, Esquire, two months interest on 200,000 <i>rdls.</i> .	1,333	2	4
Treasury of Albany, for the survey of a piece of land granted to Lieutenant Crause . . . . .	337	-	2
Premiums, at the farming of the wine-licences . . . .	325	-	-
Townsend, for a silver cup and salver for the English church at Graham's Town . . . . .	320	-	-
G. Muller, meat, &c., for lions . . . . .	225	-	-
J. Fyerstein, tools, &c., for stone quarry . . . . .	213	-	-
Mr. J. Maharey, for continuing the vaccine virus in the district of Swellendam . . . . .	75	-	-
	<hr/>		
Rixds.	12,005	7	2

(Signed) J. W. STOLL, Rec<sup>r</sup> Gen<sup>l</sup>.

## Return showing the Population and Cattle in the Possession of

	CHRISTIANS:					FREE BLACKS:				HOTTENTOTS:				NEGRO APPRENTICES:			
	Men above 16 Years.	Men under 16 Years.	Women above 14 Years.	Women under 14 Years.	Servants.	Men above 16 Years.	Men under 16 Years.	Women above 14 Years.	Women under 14 Years.	Men above 16 Years.	Men under 16 Years.	Women above 14 Years.	Women under 14 Years.	Men above 16 Years.	Men under 16 Years.	Women above 14 Years.	Women under 14 Years.
Cape Town . .	2,524	1,928	2,187	2,187	..	502	367	535	439	100	100	176	76	364	104	181	149
Simon's Town . .	179	118	94	119	4	110	40	129	32	51	58	45	34	41	6	21	4
Cape District. .	720	647	541	707	136	106	65	84	71	514	430	521	407	188	44	55	35
Stellenbosch . .	1,476	1,343	1,157	1,488	..	124	89	78	107	555	480	531	363	74	13	34	20
Swellendam . .	1,569	1,728	1,223	1,926	8	6	1	4	..	1,115	988	1,127	991	16	5	3	2
Graaff Reinet, including Beaufort and Cradock . .	3,084	3,607	2,372	3,719	..	..	..	..	..	3,030	2,811	3,348	2,622	14	..	21	..
Uitenhage . .	871	921	599	941	7	1	1	..	2	1,040	952	1,087	1,011	8	3	4	3
George . .	717	857	550	822	..	..	..	..	..	594	513	543	508	17	3	2	..
Albany . .	418	538	358	515	9	..	..	..	..	163	82	165	105	..	..	..	..
Worcester, late Tulbagh . .	1,190	1,009	812	1,125	..	..	..	..	..	1,018	988	1,059	943	12	..	..	..
Total . .	12,748	12,696	9,883	13,549	164	848	563	830	651	8,135	7,352	8,602	7,060	734	178	321	213

## Return showing the State of Cultivation and Quantity of Land

	MUIDS SOWN:				MUIDS REAPED:				HAY.	VINES.
	Wheat.	Barley.	Oats.	Eye.	Wheat.	Barley.	Oats.	Eye.		
Cape Town . .	..	..	..	..	..	..	..	..	lbs.	..
Simon's Town . .	..	..	..	..	..	..	..	..	..	..
Cape District. .	4,002	916‡	4,425‡	271‡	46,085‡	25,422‡	27,743‡	2,329‡	3,494,000	2,810,004
Stellenbosch . .	4,055‡	764‡	4,035‡	421‡	34,879‡	16,990‡	33,972	3,101‡	1,139,712	23,667,169
Swellendam . .	2,618	1,579‡	1,297‡	87‡	27,231	25,683‡	11,973‡	820	..	1,461,260
Graaff Reinet, including Beaufort and Cradock * . .	1,044‡	451	7	6‡	15,340‡	6,723‡	32	76‡	..	1,052,729
Uitenhage . .	505	329‡	4	286‡	5,871	5,291‡	68‡	3,566‡	..	330,925
George . .	751‡	455‡	36‡	15‡	9,459‡	7,618	370	177	..	910,904
Albany † . .	68‡	41‡	6	0‡	482	398‡	29	9	..	18,109
Worcester, late Tulbagh . .	2,804‡	886	1,149	433‡	23,678‡	15,119	12,757‡	4,863	..	1,660,589
Total . .	15,849‡	5,424‡	10,961	1,521‡	163,027‡	103,244	86,245‡	14,933‡	4,633,712	31,910,780

\* No Return of lands is given for Beaufort and Cradock, except erven.

† No Return of lands is given in Albany and Ongaaf Roll.

*Individuals at the Cape of Good Hope in the Year 1824.*

SLAVES:				CATTLE:									
Men above 16 Years.	Men under 16 Years.	Women above 14 Years.	Women under 14 Years.	Waggon and Saddle Horses.	Breeding Horses.	Draught Oxen.	Breeding Cattle.	Wethers.	Breeding Sheep.	Spanish Sheep.	Goats.	Asses.	Pigs.
2,461	1,255	1,871	1,176	..	..	..	..	..	..	..	..	..	..
97	43	35	15	..	..	..	..	..	..	..	..	..	..
1,834	610	727	528	2,767	4,494	12,169	9,226	4,109	10,105	1,718	12,482	265	916
3,722	1,525	1,973	1,344	5,287	4,180	19,959	5,965	8,367	15,306	1,839	16,052	228	2,543
991	665	737	631	4,496	10,334	13,220	14,850	5,848	60,116	7,793	64,464	37	1,511
1,193	518	853	455	6,673	11,966	27,795	108,596	370	1,584,985	2,362	126,112	..	87
328	175	262	183	1,351	2,814	12,936	49,424	..	87,758	..	38,395	..	18
532	366	401	357	1,535	2,763	10,813	16,806	2,218	24,666	925	26,553	9	677
133	68	124	89	499	998	3,484	10,249	4	123,999	..	15,443	..	28
1,378	524	918	647	3,667	9,558	15,039	21,809	13,629	250,823	604	70,466	..	1,575
12,669	5,749	7,901	5,425	26,275	47,107	115,415	236,925	34,545	2,157,757	10,241	369,967	539	7,355

*occupied at the Cape of Good Hope in the Year 1824.*

Leaguers of Wine.	Leaguers of Brandy.	Waggons.	Carts.	Lean Freehold Places.	Lean Places.	LANDS IN FREE-HOLD:				LANDS IN QUIT-RENT:				Government Places.
						Places.	Erven.	Morgen.	Roods and Feet.	Places.	Erven.	Morgen.	Roods and Feet.	
..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
1,308	45½	778	213	16	145½	165	44	10,705	449 11	..	..	53,151	125 43	38
13,048½	666½	1,500	481	..	114½	437	343½	18,212	391 107	48½	..	99,722	545 140	..
485½	150	1,070	65	..	379½	37½	120	..	..	78½	..	39,613	387 0	..
316½	148½	2,611	46	..	321½	..	230½	3,000	..	..	..	233,184	445 0	..
47½	28½	676	11	..	10	4	121	..	..	264	..	571,414½	374½ 0	..
187	139½	610	34	..	..	2	58	..	..	259	..	..	..	..
..	0½	288	..	..	..	..	..	..	..	..	..	..	..	..
790½	148½	1,133	120	..	470½	25½	68½	..	..	31½	..	32,161	14 0	..
16,188½	1,326½	8,666	970	16	1,440½	670½	985½	31,917	840 118	681½	..	1,029,245½	1,891 111	38



*Return of the average Annual Prices of Cape Wine sold at the Market in Cape Town in each Year from 1813 to 1824.*

Year.	Ordinary Wine per Logger.	Superior Wine per Logger.
1813 . . .	<i>Rds.</i> 145	300
1814 . . .	145	300
1815 . . .	130	280
1816 . . .	48	200
1817 . . .	185	300
1818 . . .	135	300
1819 . . .	82½	250
1820 . . .	70	250
1821 . . .	45	250
1822 . . .	57½	250
1823 . . .	55	250
1824 . . .	50	250

A true Extract from the Return of the average Market Prices of Colonial Produce furnished to the Commissioners of Inquiry by the Burgher Senate.

(Signed) JOHN GREGORY, Sec.

[Original.]

*Comparative Statement of the Amount of Imports and Exports of the Cape of Good Hope in each Year from 1816 to 1824.*

Year.	Rate of Exchange.		Imports.	Exports.	Excess of Imports.	Amount of Commissariat Bills drawn upon the Treasury.	Annual Excess or Deficiency of Bills.
	£	d.	<i>Rds.</i>	<i>Rds.</i>	<i>Rds.</i>	<i>Rds.</i>	
1816	.	2 1	3,548,954	1,599,899	1,949,065	1,959,801	Excess . . 10,736
1817	.	1 9½	4,692,916	3,328,360	1,364,556	1,382,863	Excess . . 18,307
1818	.	1 9	4,741,443	3,130,570	1,610,873	1,415,771	Deficiency . . 195,102
1819	.	1 10½	3,593,514	2,255,040	1,338,474	1,308,661	Excess . . 470,187
1820	.	1 9	3,414,336	2,142,753	1,271,583	1,023,977	Excess . . 352,394
1821	.	1 8	4,866,661	2,190,539	2,676,122	1,955,472	Deficiency . . 720,650
1822	.	1 5½	5,082,828	3,121,973	1,960,855	1,532,674	Deficiency . . 428,181
1823	.	1 6½	4,080,451	2,852,713	1,227,738	1,411,161	Excess . . 183,423
1824	.	1 5½	4,675,117	3,021,435	1,653,682	1,157,773	Deficiency . . 495,909

Excess of imports above exports in nine years . . . . . *Rds.* 15,052,948

Bills drawn by the Commissariat in nine years at the average rates of exchange above specified . . . . . 14,248,153

Deficiency of Bills in nine years . . . . . 804,795

Average annual deficiency of bills . . . . . 89,421

The above statement has been formed from the returns of bills negotiated by the Commissariat Department, and from the returns of imports and exports furnished by the collectors of customs at Cape Town and Simon's Town.

(Signed) JOHN GREGORY, Sec.

[Copy.]

*Return of all Sales by Public Auction in Cape Town, the Cape District, and Simon's Town, from 7th of June 1808 to 31st of December 1824.*

Year.	Amount of Immoveable Property.			Amount of Moveable Property.			Amount of Prize Sales.		
	<i>Rds.</i>	<i>sk.</i>	<i>st.</i>	<i>Rds.</i>	<i>sk.</i>	<i>st.</i>	<i>Rds.</i>	<i>sk.</i>	<i>st.</i>
1808 . .	143,231	2	4	1,392,672	5	-	143,536	6	-
1809 . .	343,258	2	4	2,077,807	5	-	317,109	7	-
1810 . .	282,403	-	4	2,590,701	1	-	490,237	5	-
1811 . .	123,233	1	4	2,055,383	3	-	-	-	-
1812 . .	552,091	5	2	2,269,419	5	-	87,484	6	-
1813 . .	357,204	5	2	2,535,529	7	-	490,899	5	-
1814 . .	351,265	6	4	2,600,902	-	-	162,585	2	-
1815 . .	298,281	5	2	2,741,345	-	-	21,629	5	-
1816 . .	194,625	-	-	3,138,023	-	-	-	-	-
1817 . .	155,801	5	2	3,099,241	-	-	-	-	-
1818 . .	178,543	5	2	3,267,078	1	-	-	-	-
1819 . .	451,827	5	2	3,464,468	1	4	-	-	-
1820 . .	154,164	2	4	3,430,784	3	-	-	-	-
1821 . .	303,533	2	4	3,622,899	-	2	-	-	-
1822 . .	138,263	5	2	3,095,908	1	-	-	-	-
1823 . .	160,691	5	2	2,683,458	5	-	-	-	-
1824 . .	117,161	5	2	2,615,370	-	-	-	-	-
<b>TOTAL <i>Rds.</i></b>	<b>4,305,582</b>	<b>3</b>	<b>4</b>	<b>46,680,991</b>	<b>6</b>	<b>-</b>	<b>1,713,483</b>	<b>4</b>	<b>-</b>

[Copy].

*Amount of Paper Money in Circulation on 1st January 1825.*

	<i>Rds.</i>	<i>sk.</i>	<i>st.</i>
In circulation at the Surrender in 1806 . . . . .	2,086,000	-	-
In lieu of old Paper Money . . . . .	5,204	5	-
For Lombard Bank . . . . .	500,000	-	-
Ditto as a Fund for the erection of Public Buildings . . . . .	500,000	-	-
Grain Fund, 1815 . . . . .	100,000	-	-
For the Bank to assist those Farmers who suffered by the Gales of 1822 . . . . .	200,000	-	-
Grain Fund in 1806 . . . . .	80,000	-	-
<b><i>Rds.</i></b>	<b>3,471,204</b>	<b>5</b>	<b>-</b>

Brought forward . . . . .		<i>Rds.</i>	3,471,204	<i>sk. st.</i>	5 -
Destroyed :					
Payments made by Stellenbosch . . . . .	54,000	-	-		
Ditto by Burgher Senate . . . . .	15,000	-	-		
Grain Fund of 1815 . . . . .	100,000	-	-		
The Fund placed in the Bank for the relief of the Sufferers by the Gales of 1822	200,000	-	-		
			<hr/>	369,000	- -
The Sum at present in Circulation . . . . .	<i>Rds.</i>	3,102,204		5	-

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[Copy.]

*Letter from* LIEUTENANT COLONEL SCOTT *to the* COMMISSIONERS  
OF ENQUIRY.

• SIMON'S TOWN, 2nd January 1825.

GENTLEMEN,—I have the honor to acknowledge the receipt of your letter dated 27th Ultimo making inquiry into the circumstances of a Caffre who was executed at the Chumie on my first visit there in March 1822. Not being in possession of the whole circumstances of the case, as the crime (murder) was committed previous to my arrival when Major Jones was Commandant, I have written to Brigade Major O'Reilly who was on the Frontier at the time to give me all the information in his power as well as copies of all the correspondence relative to the Caffre, my part having been superintending and obliging Gaika to execute this Criminal, to convince the Caffres that no crime of that nature if discovered should pass unpunished. When I receive an answer from Major O'Reilly, about the 20th Instant, I shall then have the honor of putting you in possession of all the particulars of this transaction, and it is to account for the unavoidable delay that I have given this explanation.

I have &c.

(Signed) H. MAURICE SCOTT, Lieut. Col. 6th Regiment.

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[Original.]

*Letter from MR. WILLIAM PARKER to the EARL OF HARROWBY,  
Lord President of the Privy Council.*

PASSAGE WEST, IRELAND, 3d January 1825.

MY LORD,—I have the honour to solicit, that you will be pleased to submit the accompanying affidavit to the consideration of the Lords of His Majesty's most honourable privy council.

It contains references to substantial proofs, that have come within my own knowledge, of the cruel, wanton, and cold blooded massacre, of the previously long ill used natives on the eastern frontier of South Africa, a people whose benevolent disposition and truly hospitable reception of Europeans, have been the just subject of eulogium by every traveller among them, especially by Mr. Barrow, to whose highly respectable authority, I beg leave to refer their Lordships, as that experienced gentleman is now one of the Secretaries of the Admiralty.

Undefined and unlimited as is the power of Governors in some of the colonies ceded to Great Britain, I cannot reconcile to my feelings as a British subject, that any British Governor could be warranted under almost any circumstances, to issue the extremely bloody order given in instructions to the officer commanding Fort Willshire barracks, on the 6th April, 1821, and which order and the dreadful consequences resulting therefrom, have been certified to me by Captain Richard Blakeman, who as senior officer, commanded a considerable detachment of His Majesty's 54th regiment.

This gallant officer now retired from the army, and who bears the highest character for veracity and good conduct, has, in five letters which he has done me the honour to address to me, given a narrative of midnight murders, of cruel robbery and deep laid treachery, which most loudly call for the prompt investigation of their Lordships, who, as I read in the important case of Governor Wall, are the high authorities before whom this awful charge should come, as my affidavit although not perhaps legal evidence for conviction, forms abundant evidence for the minute examination of the individuals to whom my

affidavit refers, one of whom Captain Blakeman reiterates, "*that he is fully prepared to prove what will make the soldier blush, the man feel, and the Christian shudder!*"

I understand that the massacre of the natives was committed on the frontiers of the Cape, *subsequently to the English authorities having most incautiously violated the neutral ground*, declared to be such by a treaty entered into between Lord Charles Henry Somerset and some of the Caffres, three of whose Chiefs were sent in the sacred character of ambassadors to expostulate on this violation, when they were cruelly made prisoners and forwarded from the camp at Fort Willshire, to Grahams Town, where they experienced the most unjustifiable treatment.

The principal massacre took place on the 16th August, 1821, prior to which Sir Rufane Shawe Donkin issued a Proclamation to encourage a friendly intercourse with these people, a fact which when compared with the incongruous order of the 6th April, then in full force, shows the inconsistency which long prevailed in the colonial policy at the Cape.

As the murder of the natives was executed by the military, I took the liberty to address his Royal Highness the Commander in Chief thereon, the 11th October, and on several subsequent periods, and by a reference to the Horse Guards, their Lordships can procure my letters, all of which have been acknowledged in due course by Sir Herbert Taylor. I have &c.

(Signed) WILLIAM PARKER.

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[Copy.]

*Letter from LORD CHARLES SOMERSET to the COMMISSIONERS OF ENQUIRY.*

NEWLANDS. 4th January 1825.

GENTLEMEN,—I have the honor to transmit to you an Outline Map of the District of Albany, which exhibits the Boundary that was established by me in 1819, also a copy of my Despatch addressed to Earl Bathurst on the 15th October of that year,

communicating to His Lordship the result of my conference with the Kaffer Chiefs at that period.

I have the Honor also in compliance with your request on that subject, to state that the restriction upon the occupation of the Tract of Country between the Great Fish and Keiskamma Rivers applied exclusively to the Kaffers, but altho' I reserved to the Colonial Government the *Right* of occupying the ceded tract of Country, the policy intended to be pursued was not to permit it to be inhabited until our endeavours to civilize the Kaffers had been successful, and that they should have imbibed an inclination for Industry rather than plunder.

It was considered that by retaining that Tract uninhabited and free from Cattle, the temptation to plunder would be lessened, and that by thus rendering depredation both more difficult and more perilous, they would gradually desist from it.

The Establishment however of Fredericksburg rendered those intentions abortive. The Cape Town *Gazette* of the 30th Oct. 1819 gives a correct detail of the Conference which took place on the 14th of that Month, between the Kaffer Chiefs and myself.

I have the honor also to transmit at your desire, the Survey made in 1820 by Order of Sir Rufane Donkin, of the Land situated upon the Kat River. I have &c.

(Signed) CHARLES HENRY SOMERSET.

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[Office Copy.]

*Letter from* EARL BATHURST *to* LORD CHARLES SOMERSET.

DOWNING STREET, LONDON, 5th January 1825.

MY LORD,—I transmit herewith to your Excellency a legal instrument which has been sent to me by His Majesty's Chargé d'Affaires at Frankfort for the purpose of being forwarded to your Excellency in order that the signature thereunto affixed might be duly verified. I have &c.

(Signed) BATHURST.

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[Copy.]

*Letter from the COMMISSIONERS OF ENQUIRY to LIEUTENANT  
COLONEL BIRD.*

CAPE TOWN, 7th January 1825.

SIR,—As we at present have under our consideration the state of the Colonial Currency and the origin as well as extent of the obligations that may have been successively contracted by the British Government and Authorities in respect of it, we beg leave to request that you would inform us whether you are aware of the existence of any other public recognition of the Colonial Currency than that which was declared by Sir David Baird in the articles of Capitulation of the Dutch Forces of the 10th January 1806, and also, whether it occurs to your recollection that in the course of the progressive augmentations that were made to the original amount of Paper Money, any public declaration or Act has been made or done by which the value of the Paper Rixdollar has been officially declared and recognised. We have &c.

(Signed) JOHN THOS. BIGGE,  
WILLIAM M. G. COLEBROOKE.

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[Original.]

*Letter from LORD CHARLES SOMERSET to EARL BATHURST.*

CAPE OF GOOD HOPE, 8th January 1825.

MY LORD,—I have the honor to report to your Lordship, that I have considered it expedient to take over a House and Premises, which were mortgaged to the Bank for the Sum of Nine Thousand Rixdollars. I have the honor to transmit a Copy of the Report of the Government Inspector of Buildings, upon the Premises, by which your Lordship will perceive that they are in good repair and that he values them at Thirty Thousand Guilders (about Seven Hundred and Fourteen Pounds Sterling). I have effected the purchase at Twenty Seven



Thousand Guilders (about Six Hundred and Forty Three Pounds Sterling). It does not necessitate the payment of any Capital whatever, and the interest amounts to only Five Hundred and Forty Rixdollars (about Thirty Eight Pounds Sterling) per annum.

The situation is so eminently convenient to the Colonial Chaplain, who now receives Seven Hundred and Twenty Rixdollars per annum (about Fifty One Pounds Sterling) Lodging Money, that I have appropriated it for his residence, by which a Saving of One Hundred and Eighty Rixdollars per Annum, about Thirteen Pounds Sterling, is made to the public.

I trust your Lordship will approve this arrangement, which is not only advantageous to the public, but spares the Bank an inconvenient process at Law. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Enclosure 1 in the above.]

CAPE TOWN, 2nd November 1824.

SIR,—In compliance with your letter of 29th ultimo I beg leave to acquaint you for the information of His Excellency the Governor that I have minutely surveyed and examined the Premises belonging to Major Rogers situated and being No. 10 Grave Street.

It being an Old Building and in tolerable repair at present, part of the roof having been recently new done substantially and for present habitation requires very little to be done to it, without considering the eligibility of the situation so contiguous to the Public Offices and I conceive the value of the house alone in its present state including the Grates, Bells, and other fixtures therein, to be worth Twenty Four Thousand Guilders on a moderate calculation, as there is room for Improvement if required, waiting your further commands.

I have &c.

(Signed) WM. JONES, Inspector of Buildings.

P. G. Brink, Esqre.

[Enclosure 2 in the above.]

CAPE TOWN, 10th November 1824.

SIR,—In reply to your letter of this day's date, I beg leave to observe that I did not sett a value on the Eligibility of the Situation as being so contiguous to the public Offices conceiving the same I had stated fair for any private individual which I had been some Months ago authorized to offer for them.

But should they be required for any purpose connected with the Offices I conceive them worth the additional Sum of Six Thousand Gilders at least.

For I should find no difficulty in procuring a tenant at this time at Sixty Dollars per month and keep the premises in repair if required. I have &c.

(Signed) WM. JONES, Inspector of Govt. Buildings.

P. G. Brink, Esqre.

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[Original.]

*Letter from LORD CHARLES SOMERSET to EARL BATHURST.*

CAPE OF GOOD HOPE, 8th January 1825.

MY LORD,—I have the honor to inform Your Lordship that I have been solicited by the Family of P. J. Truter Esq. Senr. (the Political Commissioner for Church affairs) to permit him to retire from the Service, retaining his Rank and receiving a pension equal to the Salary of his present office, amounting only to Fifteen Hundred Rixdollars per annum, about One Hundred and Seven Pounds Sterling. This Gentleman is in his 79th year and from the infirmities of age is at present afflicted with imbecility of mind. He has been nearly 64 years in the Service of this Government, having entered it in 1761. He was twice Selected by the Dutch Government for a Mission of Trust to Madagascar. He accompanied Mr. Somerville in the year 1801 to Latakoo at the request of His Majesty's Government and performed also in conjunction with the late

Strubberg the extra Duty, (*gratis*,) of revising and regulating the Public Debt Registers.

In 1793 he was appointed a Member of the Court of Justice, which Situation he held (except during the short period of the Batavian Government in 1804 and 1805) until 1815, when feeling the presence of age and the Duties of that Court becoming too laborious for him, he accepted the office of Political Commissioner for Church affairs (high in Rank tho' of very slender Emolument) in lieu of Soliciting the usual Pension granted to retired Members of the Court (2000 Rixds. per annum).

Under the circumstances of Mr. Truter's extreme age and feeble Health, his able and faithful Services in this Government of 64 years, and of the Pension he now solicits being Five Hundred Rixdollars less than that which has been invariably granted to Landdrosts and retired Members of the Court of Justice, in which latter capacity he served (with the exception of a short interval only) during 22 years, I feel persuaded that your Lordship will sanction the propriety and justice of my acquiescing in the prayer of Mr. Truter's Family, particularly as he is not likely to be any Burthen on this Government many months. I have &c.

(Signed) CHARLES HENRY SOMERSET.

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[Original.]

*Letter from LORD CHARLES SOMERSET to EARL BATHURST.*

CAPE OF GOOD HOPE, 8th January 1825.

MY LORD,—I have the Honor to report to Your Lordship, that I have obtained a very advantageous Property, for the Public, in the purchase at Auction on very low terms, of the whole of the Paarden Island, distant scarcely two miles from Cape Town. This property had been pointed out to me, as well suited for the Leper Institution, which it is extremely desirable should be established, in the vicinity of Cape Town, where under the constant Eye of the ablest Medical Talent, efforts may be made to effect some Cures. The Estate was

sold at Auction under Sequestration, and although One Hundred and Twenty Thousand Guilders (about Two Thousand Eight Hundred and Fifty Seven Pounds Sterling) were demanded for it a few months since, when I caused enquiry to be made respecting it, with the view of placing the Lepers there, I succeeded in purchasing it at Forty Eight Thousand Guilders, (about One Thousand One Hundred and Ninety Three Pounds Sterling) the interest of which is Nine Hundred and Sixty Rixdollars (about Sixty Eight Pounds Sterling). The Capital is to be paid in Three equal Instalments viz. One Third in ready money, One Third one year after the day of Sale, and the remaining Third Two years after.

This is the place that was hired by Government in 1812, when the Small Pox broke out here, for the purpose of placing there the persons infected with that disease. It comprises most excellent grazing land, which should a war break out, or any circumstances occur to increase the Importations to Cape Town from the Country, would render it invaluable for public purposes. At the present moment I have let it for One Thousand Five Hundred Rixdollars (about One Hundred and Seven Pounds Sterling) per annum, the public thereby deriving a direct profit of Five Hundred and Forty Rixdollars (about Thirty Nine Pounds sterling) per annum, but I consider that a very secondary consideration to the advantage of its being available to Government. I have &c.

(Signed) CHARLES HENRY SOMERSET.

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[Original.]

*Letter from MAJOR E. M. BIRD to EARL BATHURST.*

SUMMERLAND PLACE, EXETER, 8th January 1825.

MY LORD,—Private pique and revenge having induced Lord C. Somerset to denounce my Brother Lt.-Col. Bird as a Catholic to His Majesty's Government, and it in consequence having felt it its duty to recommend His Majesty to dismiss him from his situation of Colonial Secretary at the Cape of Good Hope, whereby he has been deprived of the means of

supporting five helpless Sisters, all advanced in years and from disease and ill health rendered incapable of doing anything for their livelihood, and as I have not the means of assisting them, having a family of my own, and being only a Half Pay Major with a Pension of £100 a year for wounds received in the service, I am induced in hopes of saving my Sisters from jail to turn beggar and to solicit your Lordship's Charity in their behalf ; the cause will, I feel no doubt, excuse the liberty I am taking with your Lordship, but I am trying to prevent the necessity of an appeal to the Public, as I do not wish to be the Channel of any complaint against the Government, but I must do all I can to save my Sisters from Jail or the Workhouse. With respect I have &c.

(Signed) E. M. BIRD, Major H.P.

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[Copy.]

*Letter from* LIEUTENANT-COLONEL BIRD *to the* COMMISSIONERS  
OF ENQUIRY.

LIESBEEK COTTAGE, 9th January 1825.

GENTLEMEN,—In replying to the letter you did me the honor to address to me yesterday, proposing certain queries relative to the Paper Currency of this Colony, I am compelled with great deference to take leave to remonstrate against the line you have acted on in my regard.

Some time after your arrival I was honoured by a communication from you, the first of any sort I had then had from or with you, in which you acquainted me that it was not your intention to apply to me for any official documents whatsoever, and that you had decided to conduct your correspondence with the Colonial Office thro' the medium of the Governor ; not having your letter before me, I do not assume to be correct in the very words you used, but your communication was certainly to that effect. As I felt that I had no right to dictate to you what line you should adopt in the mode in which you proposed to carry on your duties, I did not deem it proper or prudent to comment upon what certainly

appeared to me to be a very singular determination. You continued however to act upon this System as long as I held the office of Secretary, and no paper or no information was demanded from the Colonial Office, as far as I know, which could be calculated to be of the slightest moment in the consideration of the General affairs or Policy of the Government ; of this I beg you to be assured I make no complaint, but when my removal had been effected you altered the system antecedently acted upon, and in many instances have required from me information relative to official matters, when you were aware that I could not have access to those documents which alone could give security to the assertions I was compelled to make from memory. I have moreover taken an opportunity of acquainting you that the major part of my Papers has been sent to England, notwithstanding which, you now call upon me to elucidate one of the most intricate questions which can be proposed in this or any other Colonial Government. I may be mistaken in viewing these circumstances, as they affect me, in the light I do, but as I propose, although labouring under such disadvantages, to endeavour to convey to you the information sought for by your letter of yesterday, it is necessary I should, for my own security, protest against being held responsible for the inaccuracies which may be found in my statements or opinions.

In the first place then I submit that the declaration of Sir D. Baird in the Articles of Capitulation to the British forces of the 10th January 1806 should not be considered in the insulated light in which it appears when you have that Document (the Capitulation) only before you, but as expressive of the Policy which the British Government had avowed during the period in which the Colony of the Cape of Good Hope was in its possession during the Eight Years which preceded the Year 1803, a Policy fresh in the memories of those who capitulated in 1806, and one calculated to ensure their confidence in British faith and to reconcile them to the second change. During those years Specie and Paper were nearly at par in all ordinary transactions, and Coin was only received at the Public Offices at rates (fixed by the Dutch Tariff) which had their basis in the consideration of the Rixdollar representing " 48 full weighed pennies of Holland." The English Guinea,

in the Tariff referred to is considered of the value of  $4\frac{1}{2}$  Rix-dollars. That British Administration had likewise issued, on its own guarantee, an addition to the Paper Currency to the amount of Rds. 250,000, and had redeemed the pledge by paying the Batavian Authorities, to whom the Colony was surrendered, the amount at par. For a great part of the 8 years alluded to, Bills of Exchange and Currency were also at par or nearly so, and Bills only rose to 20 per cent per annum when the surrender caused a great demand for them as the only medium for realising the property of those who were obliged to return to Europe ; consequently it may be asserted that the British Government recognised the value of the Rix-dollar, as above stated, to be equal to 48 full-weighed pennies of Holland, which make something more than Four Shillings Sterling. The article in Sir D. Baird's Capitulation should therefore be viewed in reference to this state of things, which was known to all the Inhabitants of the Cape Colony.

But lest there should have been a doubt on the subject at that time, Sir David published a Tariff at which Coin should be thenceforth current, and though it differs in a trifling degree from the former one, yet it appears to have been grounded on the same basis as the one published by the Dutch Government, the consideration of the Rixdollar as of the value of " 48 full weighed pennies of Holland."

I am not aware, that there was any subsequent public declaration by which the British Government officially fixed the value of the Paper Rixdollar, but I conceive many of its acts to have recognised the value which the Rixdollar antecedently had in public estimation. The Paper issued by the Batavian Government, the only currency in circulation in 1806, certifies upon every note that the Holder is Proprietor (*Eigenaar*) of as many Cape Rixdollars as the note itself specifies ; now, what the Cape Rixdollar is must be deduced from the documents to which I before referred, in which the Dutch Government marked its value relatively to Coin. When therefore the British Government encreased the amount of Cape Currency by an issue of one Million of Rixdollars, unless it can be shewn that it then affixed and declared a new value to the Cape Rixdollar, (which it is clear is not the case) it must be acknowledged to have avowed that the one million so issued

was to be considered and taken at the same rate at which the Cape Rixdollar was issued and circulated previous to the adoption of that measure ; it was otherwise a gross fraud, the more condemnable, as effected by trick.

It is material to remark that notwithstanding the ruinous fluctuations of Exchange, which have rendered living so expensive here and the purchase of all imports so exorbitant to the Inhabitants, the value of landed property has not proportionally varied (except perhaps in Cape Town and its immediate vicinity), neither have articles of the first necessity ; but these have been transferred from the holder or grower to the purchaser or consumer at Prices comparatively stationary, so that it may be inferred that the Rixdollar continues to be considered by the Public as the same measure of value in Colonial Transactions as that at which it was originally issued, to which the holders consider the British Government to have given its sanction.

In a paper now before me is the following Paragraph, which is not irrelevant to the subject you have proposed :

“The British Government from true and liberal policy assented to the continuance of the value and currency of the Paper money, upon the footing upon which it was originally issued ; but it is not to be inferred from thence that in the operations of Exchange it shall be imperative upon that Government to receive the Rixdollar at Par ; that must be considered entirely as a separate and mercantile transaction and question. Bills of Exchange will sell for a greater or less number of Rixdollars according as there is more or less demand for them in the market, and it is evident that if the supply of the merchants was satisfied, Bills must be reduced in Price, and the Rixdollar proportionally raised in its Export value. The loss by Exchange accruing under present circumstances is a tax, on the Inhabitants, which at some future, though probably distant, period their industry will redeem.”

I have &c.

(Signed) C. BIRD.



[Copy.]

*Letter from the Directors of the Lombard Bank to the  
Secretary to Government.*

LOMBARD BANK, 10th January 1825.

SIR,—We have the honour to acknowledge the receipt of your letter of the 8th instant, transmitting a series of exceptions, seven in number, brought forward by the Commissioners of Inquiry in a communication to his Excellency the Governor, and which are therein stated to have been deviations by the bank from the established regulations of government, and desiring us to make explanatory notes at what period and by whose authority such deviations have been made.

Before we proceed directly to our reply to the exceptions referred to, which will be hereto annexed, we shall take the liberty to request his Excellency the Governor's attention to the following observations :—

The instructions for the guidance of the president and directors of the bank, to which these exceptions refer, were issued at a period when the Lombard Bank was in its infancy, and when the Discount Bank (by far the most important establishment of the two) was not in existence, and also when the former was but little better than a pawnbroker's shop, it having been the depository for pledges of silver spoons, watches, sheep skins, &c. &c.

In the present improved state of the colony, and of this establishment in particular, we presume to hope that deviations from instructions issued, under such circumstances, will not be viewed with too scrutinizing an eye.

His Excellency has had under his eye the conduct of the president and directors for many years past, without having had occasion in any instance, that we are aware of, to reflect upon them in the discharge of their duties in this department; and his Excellency has witnessed the growing prosperity of the establishment under serious difficulties with which it has had to contend.

The president and directors do not presume to think that the government is indebted to their individual exertions for this degree of prosperity, but they do contend for having

given their aid towards it conscientiously and according to the best of their abilities.

Mr. Marshall begs to observe, that in the course of a long examination before the Commissioners of Inquiry, upon whose evidence the deviations under consideration appear to have been chiefly founded, he is aware that in his readiness to reply, and in his eager desire to afford the Commissioners all the information in his power respecting the affairs of the bank, he may in some instances have given such explanations as he would not have done had he taken more time to have considered the subject to which they related. And Mr. Marshall has therefore subsequently, by permission of the Commissioners, corrected some of those replies which more immediately struck him as likely to convey a meaning which it was never the intention of Mr. Marshall to comprehend therein.

In conclusion we beg leave to observe, that if any blame should appear to attach to the bank on account of the exceptions in question, it is our duty to exonerate all the junior branches of the establishment from any participation therein, as we have great pleasure in taking this opportunity to declare our opinion that a more honourable and correct number of young men cannot be assembled in any office. We have &c.

(Signed) J. MARSHALL,  
G. H. MAASDORP.

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[Original.]

*Letter from MR. GEORGE GREIG to R. WILMOT HORTON, ESQRE.*

32 CITY ROAD, *January 10, 1825.*

SIR,—Not having received your communication up to Tuesday last, I was led to suppose that its transmission was postponed till your return to town ; and having on that day left town on urgent private business, it was not forwarded to me until yesterday. I shall, now, Sir, however lose no time in preparing an answer which I rest satisfied will prove satisfactory to Lord Bathurst. I am &c.

(Signed) GEORGE GREIG.

[Office Copy.]

*Letter from EARL BATHURST to MAJOR E. M. BIRD.*

HOLMWOOD, 12th January 1825.

SIR,—I have to acknowledge the receipt of your letter of the 8th instant.

You appear to be misinformed with regard to the case of your Brother Lt. Colonel Bird. He was not dismissed for being a Roman Catholic. In consequence of proceedings, no way connected with his religious faith, I thought it expedient to remove him from his situation of Colonial Secretary to which I had promoted him a few years ago. But in consideration of his long services as Under Colonial Secretary, I have, on the recommendation of Lord Charles Somerset, charged the Civil Establishment of the Cape with a Pension in his favor; and understanding that he has a numerous family dependent upon him, I fixed the Pension on a higher Scale than I should otherwise have done, or than has been usually done with regard to Public Servants on their retirement from office in those Colonies where I have had the means of providing for them. Under these circumstances I cannot be justified in again charging the Civil Establishment of the Cape with an additional remuneration for Lt. Col. Bird's services, and it can only be on that Establishment and in consideration of those Services, that it would be in my power to grant Pensions to the Sisters of Lt. Colonel Bird.

I have &amp;c.

(Signed) BATHURST.

[Copy.]

*Letter from the COMMISSIONERS OF ENQUIRY to LIEUTENANT COLONEL BIRD.*

CAPE TOWN, 12th January 1825.

SIR,—We beg leave to acknowledge the receipt of your letter of the 9th Inst. wherein you have favored us with an explanation of the positive and public acts, as well as the

Policy of the British Government, by which you are led to infer that a recognition has been made of the Colonial Debt at the par value of the Rixdollar, and that it was received at that value subsequently to the Capitulation of 1806. The facts and arguments that you have adduced are unquestionably of importance to some of the ends of our inquiry ; but before we trouble you for further explanation upon some points that are suggested by the view that you have taken of the subject, we beg leave to remark upon the protest that your letter conveys against the course we have pursued in addressing ourselves to you for information.

It is not our intention to enter with you upon the motives that induced us to acquiesce in the arrangement that was proposed to us by Lord Charles Somerset, soon after our arrival, for conducting our correspondence with the Colonial Office, nor do we propose to enter with you upon the consideration of the relative importance to us of the information we may have derived from the Records of that Office while you presided in it, or that which we have since obtained, or may further require ; but so far from being conscious of having discouraged you from affording us the information which your long residence and experience in the affairs of the Colony induced us to expect from you, we recollect that the very earliest communication we had the honor of addressing to you, and but a few days after our arrival, was expressive of our regret that your confinement by indisposition prevented us from profiting so largely as we had hoped to do from the knowledge you must have acquired of the affairs of the Colony. In an interview, that we solicited at as early a period as your then unconfirmed state of health permitted, it must be within your recollection that we entered upon an inquiry into the past and present relation of the Colonial Government with the Caffre Tribes upon the Frontier, and during our absence in the Interior we remember to have referred to you upon the subjects that occupied our attention at that time, and the unfortunate accident that disabled you from your usual attendance at the Colonial Office made us subsequently reluctant to trouble you with more frequent reference to the documents contained in it.

Having thus adverted to the circumstances that attended our early intercourse with you, we proceed to observe that in

our subsequent applications we have been guided by the same uniform disposition to appeal to your experience and information upon subjects with which we have supposed you to be conversant. We certainly could not expect from you a distinct reference to documents to which you might not have access, but we have relied on obtaining from you such general information as would guide us in our application to the Colonial Office, and such elucidations of the subjects referred to by us as your long participation in the affairs of the Government (more especially of late years) led us to expect from you.

Upon the same principle which has hitherto guided us in our communication, and without requiring you to pledge yourself further than you may be disposed to do to the statements which your recollection may enable you to make, even where you should appear to us to have formed very decided opinions, we have further to request that you will be so good as to inform us whether the sum of Rds. 250,000, which you state to have been redeemed by the British Administration at the period of the transfer of the Colony to the Batavian Government, was still held in circulation at the date of the capitulation in 1806, and whether it was considered that this sum was engaged a second time to be redeemed by the British Government under the capitulation.

We perceive that the amount of Paper Money, to the circulation of which a conditional sanction was given by British authority in the 9th Article of that Instrument, was specifically and in terms limited to the quantity "actually in circulation at that date," and we shall be very desirous of learning from you whether you are aware of the existence of any public document that appears to you in any degree to vary, or extend, the application of those words.

We would further request to be informed whether any other issues of Paper that were engaged to be redeemed under the first British Administration were subsequently recalled and cancelled.

In the years 1810 and 1812 we observe that a million of Rixdollars were created and issued, one half of which constituted the 500,000 Rixdollar Fund applied to the erection of Public works. As very express orders appear to have been received from His Majesty's Government for the redemption

and annihilation of this Paper, we would be glad to be informed whether any subsequent instructions may have been received from the Secretary of State for the re-issue of this Paper, or what circumstances may have led in that event to the subsequent employment of it.

We beg that you would be so good as to furnish us (if you can refer to it) with the date of the Dutch Tariff to which you have alluded, and in which the value of the Rixdollar is fixed at "48 full weighed Pennies of Holland."

Upon the subject of the depreciation in exchange, we would be obliged to you to inform us if you can recollect any Despatch in which the ruinous effects of its fluctuations were brought under the consideration of His Majesty's Government, either with a view to the relief of the Colony by the redemption of the debt, or of a part of it for which the public property had been pledged, or to equalize the charges upon the Colonial Revenue in official Disbursements (and which Revenue has been so materially affected by the depreciation), and especially in the payment of sterling salaries, that were disproportionately enhanced, while those fixed in currency were as much depreciated in exchange value.

We would further request you to inform us upon what precise ground or authority you have been led to conclude that the Rixdollar is not depreciated in the internal commerce of the colony. You appear to admit that landed property has been affected in Cape Town and its immediate vicinity, where we are informed, that the paper has chiefly circulated; but in the comparative price of articles of the first necessity, we have had occasion to observe some considerable variations, for which it is probable you may be able to account.

In 1802 and 1806, we observe, for instance, 40 Rixdollars per Load of 10 Muids was declared to be a remunerating price to the grower of wheat in ordinary seasons (when 45 Rixdollars were fixed to provide for the payment of Rds. 3 as a Duty) and in the latest Tariffs we notice that 10 muids have sold from 108 to 139 Rds.

How far local Restrictions may have tended at different periods to influence the price of articles of primary necessity that may need to be resolved; but we have in our investigations to define the cause

of the transactions in which the paper is considered to have depreciated, or to have maintained its value, and in the circulation of the various commodities, whether raised or imported, where the Rixdollar has been taken at its par value, and where it has been influenced by the Foreign Exchanges.

It would also be satisfactory to us to be informed, whether in the subsequent issues of Paper Currency by the British Government on the security of private mortgages, there was any understanding with the Borrowers respecting the rate at which their instalments would require to be repaid, in the event of any measure that should tend to alter the value of the Currency in which they received the accommodation.

If the paper from which you have favored us with an extract is in print, and should be published, perhaps you will have the goodness to afford us a reference to it. We have &c.

(Signed) JOHN THOS. BIGGE,  
W. M. G. COLEBROOKE.

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[Copy.]

*Evidence given by MR. JOHN MARSHALL to the COMMISSIONERS  
OF ENQUIRY.*

CAPE TOWN, 28th December 1824.

You are President of the Lombard and Discount Banks ?

Reply. I am.

How long have you held those situations ?

Reply. Since the 5th November 1815.

To whom did you succeed in that office ?

Reply. To Mr. Dashwood.

What are the duties that have especially devolved on you ?

Reply. In the Lombard Bank, to issue the capital in loans to individual applicants in conjunction with the directors ; to see that the interest is duly paid, and the instalments of capital reimbursed : considerable responsibility hence devolves upon us in ascertaining the solidity of the securities upon which capital is lent. In the Discount Bank the duties and the

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responsibilities are even greater, having to ascertain the validity of bills, &c. that are presented for discount, and to guard against the transactions of the bank being carried to an extent that would not be justified by its circumstances, being without any capital of its own. To all the objects I devote my daily attention, in common with the directors ; and I am besides in constant personal communication with the Governor on the subjects of the interests and transactions of the bank.

In what manner have you been remunerated for your services as president of the bank ?

Reply. I request to give a letter to your address that I had prepared upon the subject of my salary as president of the bank, in which I have detailed the circumstances that led to my appointment being made a ministerial one, and from this it will appear that my salary was fixed by Earl Bathurst, in the year 1822, at £600 sterling per annum ; it had previously been paid in currency at the rate of Rds. 6,000 per annum, which from the depreciation by exchange was not more than equivalent (in 1821) to £500. I beg to refer to the despatch of Earl Bathurst, addressed to the Governor in 1822.

Are there any fees or perquisites derived in any manner by the president and directors of the bank ?

Reply. None whatever.

What do you conceive to have been the causes in operation that have produced the progressive depreciation of the colonial currency in exchange, especially within the last few years ?

Reply. I attribute it solely to the balance of trade having been against the colony, occasioned by the increase of imports in proportion to the exports, and a diminution of the means of remittance, which (independently of the commercial exports) have consisted chiefly of government bills, which have been negotiated to a much smaller amount since the termination of the war.

Have you kept any register of the fluctuations of commercial exchange with reference to these circumstances to which you have ascribed the depreciation, or is your opinion founded alone upon general observation ?

Reply. My opinion is only founded on general observation and experience ; I am not possessed of any particular information by which I have been guided in forming it.



Are you aware whether the depreciation of the currency in exchange took place immediately on the reduction of the garrison and of the war expenditure, or was it a progressive effect ?

Reply. The depreciation of the exchange was a progressive effect. I remember that on my arrival in the year 1816, currency in the exchange was at a discount of about 80 or 90 per cent, and the discount has since gradually increased to 180 per cent ; it has been as high as 196 or 197 per cent.

I have understood that some relief to the colony was afforded by the exports to St. Helena during the period that Buonaparte resided there, had this any material effect upon the exchange value of the currency ?

Reply. The circumstance in question certainly must have afforded some relief to the exchanges, but I am not aware to what extent. The payments for supplies exported were made by the Company's agent, either from his deposits in the bank or by bills on England.

Are you of opinion that the successive issues of paper money which have been created from time to time have operated any effect upon the value of the currency on exchange ?

Reply. I would generally observe, that the larger the quantity of paper that was in circulation the less would be its value, the same rule being applicable to it as to any other commodity ; but I have always been of opinion, that the quantity of paper in circulation within this colony has not exceeded the demands for it, occasioned by the increase of the population, and in the commercial transactions of the colony. The issues that were made by Sir John Cradock in the years 1810 and 1812 of Rds. 1,000,000, did not appear to me, on my arrival in the colony in 1816, to be more than were required for the circulation.

Will you be so good as to state in what have consisted the increased transactions of the colony to which you allude, subsequently to the termination of the war and the reduction of the public expenditure ?

Reply. I conceive that the progressive increase of population has enlarged the speculations of individuals ; and these, added to the facilities given to commerce by the return of peace, have augmented the commercial transactions of the

colony. The pecuniary transactions in the bank have more than doubled since my arrival in the colony.

You have before alluded to the increase of imports into the colony in a higher proportion than the exports; the paper currency not being available in exchange for the payment of such imported commodities, in what manner has the increase of transactions produced such an increased demand for that currency?

Reply. The goods imported are, in the first instance, disposed of for paper currency, and a considerable increase in the demand for it has therefore been required, although remittances are eventually required by the importers to make good their payments in Europe or elsewhere. There has been a corresponding increase in the retail transactions, and therefore in the demand for an increased quantity of currency in circulation.

What quantity of paper do you conceive may at present be in active circulation, and what proportion of it in deposit?

Reply. The whole quantity of paper that has been issued, and not subsequently destroyed, amounts to about Rds. 3,000,000; and I consider that it is all in active circulation, unless exception is made of the cash balance of the Discount Bank, which amounts at present to about Rds. 400,000.

What is the highest denomination of paper notes that have been issued?

Reply. Notes of Rds. 500 are in circulation.

Are many of these large notes received at the bank?

Reply. Many of them are received, on large deposits that are made at the bank, by collectors of revenue and by individuals.

The vendue rolls or credits for goods disposed of by public auction are, I believe, discounted frequently by the bank?

Reply. They are.

In discounting these vendue rolls, have you had occasion to observe that any preference has been given to notes of the higher or lower denomination?

Reply. In general, as the amount of vendue rolls has been due to merchants who have had accounts with the bank, it has seldom appeared that money has been taken upon them, when discounted, the amount being usually carried to the

credit of the party in his account. If large payments were to be made in currency, large notes would be preferred ; but in smaller issues upon cheques, the lower denominations would be preferably taken.

Have you had occasion to observe, in discounting vendue rolls, that the merchants have eventually drawn out the whole amount in currency, or have adjusted the account by orders on the bank, when they have purchased bills of exchange ?

Reply. They have usually completed the transaction by cheques in favour of the commissary-general, or the party from whom they have purchased their bills of exchange. The discounts and deposits have generally increased after a notification that bills were to be disposed of.

Has the commissary-general any account with the bank ?

Reply. He has not ; all payments by the bank are paid to him in currency.

Have the transactions of the bank in discounting vendue rolls been considerable in proportion to the discounts ?

Reply. They have been considerable in proportion to the discount of bills, or other securities. We never reject the discount of a vendue roll if our funds admit of it, and as the acceptance of the vendue master, who is a government officer, is our security for the due payment. In respect to bills or bonds tendered by individuals, we are required to exercise our judgment upon the safety that would attend the acceptance of them, and many are accordingly rejected.

Do the transactions of the Discount Bank extend at all to the remoter districts of the colony ?

Reply. In a small degree to the districts near Cape Town, but not to those more distant ; it would be impracticable, from the nature of our transactions, to afford that accommodation to persons resident at Graham's Town or Graaff Reynet, for instance ; nor would it be safe or expedient to discount the short periods at such a distance. There are occasional instances in which the permission of government has been given for the acceptance of securities in the distant provinces, but these have been deviations from the ordinary regulations of the bank, and repayment has been made by instalments upon such loans to the Loan Bank ; and these accommodations have been afforded in a very few instances, and only when the

funds of the Loan Bank have not admitted their being made from that source ; these loans have sometimes been transferred to the Loan Bank.

Have the loans of this description been invariably made from the Discount Bank upon authority received from government ?

Reply. They have not ; as we have in many instances afforded the accommodation from the Discount Bank when we have been satisfied of the nature of the security required by the Loan Bank, and the advance has been repaid to the Discount Bank from the Loan Bank ; by this arrangement we were enabled to anticipate the credits of the Loan Bank. No instance of this accommodation has occurred for the last two years, but many previously occurred, especially during the time that distresses from failure had arisen.

Have you had reason to be satisfied with the punctuality with which individuals have discharged their obligations to the bank ?

Reply. Latterly we have had more reason to be satisfied in this particular than we before had, much irregularity having prevailed till within the present year. There is so little punctuality in the discharge of such obligations between individuals, that there has been a proportionate degree of difficulty in obtaining punctual payments to the bank.

Does the want of punctuality arise from delays, difficulties and expenses of resorting to judicial process, and has the bank been compelled to resort to it in many instances ?

Reply. I am not aware that it proceeds from such a cause, but I am inclined to attribute it to the circumstances of the colony in its present stage of advancement. The bank has frequent occasion to resort to judicial process for recovery of its claims, and has experienced no difficulty arising from this process, except from the delays in the Insolvent Chamber ; I attribute these delays more to the nature of the institution, than to any neglect or remissness in its officers.

Has the bank sustained eventual losses to any amount from this irregularity ?

Reply. The losses sustained by the bank have been very trifling.

I observe that the transactions of the Discount Bank have

considerably increased of late years, and since the discontinuance of interest that was formerly paid on deposits ; do you conceive that this has proceeded from the absence of any means of profitable deposit for commercial capitals ?

Reply. I certainly conceive that deposits in the bank would be diminished, if the colony afforded any available means for profitably investing commercial capital by government securities bearing interest or otherwise. In the present circumstances of the colony, funds may be profitably invested upon mortgages of fixed property ; but the delays attendant on the recovery of the principal render these means of investment convenient only to annuitants, and not to persons engaged in trade or business.

Were the government four-per-cent debentures discounted by the bank ?

Reply. The interest of them was payable at the bank, but not the principal.

Do you attribute to this circumstance, that they were not generally resorted to as a convenient means of deposit ?

Reply. I attribute it certainly to the circumstance of the principal not being made payable with the interest by the receiver-general, which precluded the bank and the public from receiving or negotiating them in its transactions. Certain offices received them in payment of government dues.

I observe that you estimated the amount of personal deposits at the Discount Bank in 1823, at Rds. 1,400,000, and the whole amount of receipts within the year at Rds. 14,000,000 ; has any increase taken place in these deposits and receipts within the year 1824 ?

Reply. An increase has taken place of more than Rds. 100,000 in the deposits, and more than Rds. 1,000,000 in the annual amount of receipts at the bank.

Do you conceive that it would be desirable to establish a fixed capital for the Discount Bank ?

Reply. I conceive that it would considerably add to the security of the establishment, and to the confidence that the public are disposed to place in it. In pursuance of my suggestion, a measure was adopted about six months ago, of paying an interest of four per cent per annum upon Rds. 200,000, being about one half the amount of the funds held by the bank in deposit belonging to the East India Company ; the

stipulation with the Company's agent was, that this sum should remain in deposit for six months certain, in consideration of which the interest was to be paid. Previously to this time the agent might have drawn the whole fund from the bank at once, and have exposed it to considerable inconvenience.

What notice is required to be given by the Company's agent, when he proposes to withdraw this fund ?

Reply. A reasonable notice is to be given ; I believe about one month.

Has any proposition been made or entertained for the extension of this principle of allowing interest on deposits for certain periods ?

Reply. It has not been proposed that I am aware to extend it further.

Do you conceive that any benefit would accrue from allowing interest upon deposits made for long terms ?

Reply. The deposits without interest have so much increased, that I am not aware that the immediate interests of the establishment would be promoted by the measure.

Is it your opinion that if a capital existed in the bank that was not liable to be suddenly withdrawn, either belonging to the bank or in deposits for long terms upon interest, that the convenience afforded by the establishment might be readily extended to the inhabitants in the remoter districts ?

Reply. I am of opinion that it might then be done by means of the establishment of branch banks in the districts, a measure that could only be safely adopted, however, if the bank possessed a capital of its own.

What facilities do you conceive would favour the establishment of branch banks in the districts, consistently with the degree of security and good management on which these advantages would entirely depend ?

Reply. I am not at present aware of any other means of forming such establishments, consistently with the degree of security and economy required, except through the landdrost and heemraden of the district, who have already so far acted as bankers in negotiating a part of the loans that have been made by government for the relief of the agriculturists.

You are aware of the very limited circulation of paper currency in the country districts ?

Reply. I am aware that the circulation of the paper currency is chiefly confined to the Cape district, which is sufficiently proved by the fact that the deposits in the Discount Bank, in themselves, amount to more than half the amount of paper issued. There are besides a great many persons possessed of capital in Cape Town, who keep no accounts whatever with the Discount Bank. Very few Dutch capitalists, except those connected with the government, have opened any accounts with that bank, and they keep considerable sums in deposit for themselves, which must also absorb a large portion of the paper currency.

In the fluctuations of the value of the paper currency, has it occurred to you to consider at what rate it would be expedient and just (in circumstances under which the issues were made) to discharge the public obligations ?

Reply. The question involves so many considerations that I am not prepared to reply to it, nor have I hitherto been enabled to form any conclusive judgment upon the subject. The paper currency now in circulation at the current value of the day could scarcely undergo any considerable change in that value, without materially affecting the interests of individuals, who would gain or lose by the sudden alteration in its value. This would very generally affect the inhabitants, who are so extensively engaged in mortgages or pledged to prospective payments. I do not consider that the paper currency has depreciated in the same proportion in internal transactions as in exchange for bills—bills not being procurable in proportion to the demand for them, have considerably risen in value ; but in purchases made of domestic property, lands or houses, or of stock or produce of the colony, no proportionate advance upon the prices of former times is observable. Some difference has taken place in these prices, which I attribute partly to other causes, such as the increase of population, which increases the demand and raises by competition the nominal prices. The increase of the demand, and the diminution in the supply of produce, will both tend to enhance the price, without reference to any supposed fluctuations in the value of the medium in which payments are effected.

As the quantity of paper that has been in circulation since the issue of Rds. 1,000,000 in 1810 and 1812 has not materially

varied, and as the transactions of the colony have so much increased within the same period, how do you account for the value of the paper not having been raised rather than depreciated ?

Reply. Owing to the transactions, of which that paper has been the medium, having arisen chiefly out of foreign commerce, attended with an increase of import over export, which has occasioned a great demand for remittance. I conceive that this will sufficiently account for the depreciation in the exchange value of the paper without recourse to any other explanation.

Is it then your opinion that so great a part of the paper money has been subservient to the transactions arising from foreign commerce, that a very small proportion has been employed in the internal trade and transactions of Cape Town and the colony ?

Reply. I conceive that a very small part has been employed in the domestic transactions of the colony, independently of foreign commerce.

In what way is the corn and wine farmer and the grazier usually paid for their produce brought to market ?

Reply. They are usually paid in paper money, either through the bank or otherwise.

Can you state whether any of the farmers chiefly engaged in supplying the market, or the privileged butchers or bakers in Cape Town, have open accounts with the bank, or effect their transactions through its medium ?

Reply. I believe not in any instance. Their transactions with the Bank and those of the Dutch inhabitants in general, who may be engaged in business, have been confined to receiving the accommodation upon their securities, in common with the English part of the community. There may be some Dutch merchants who are exceptions, but the persons alluded to in the question keep no open accounts with the bank, and therefore must retain their own funds in deposit.

I observe in the list of loans to individuals from the long loan fund, that the periods have in many instances much exceeded that which was allowed for such loans by the 8th article of the additional Regulations ; will you explain this circumstance ?

Reply. I would generally explain upon this subject, that



the rule has been from time to time suspended under the peculiar circumstances of the colony. I have had frequent personal communications with the Governor upon the subject, and have received his instructions not to press the parties who might be involved in difficulties, provided the security was good for the ultimate payment.

I observe, that according to the restrictions imposed by the colonial secretary's letter of the 14th June 1810, directing the issue of Rds. 500,000, that no larger sum than Rds. 10,000 were to be advanced to one person or firm ; there would, however, appear to be larger sums to the debit of certain individuals ?

Reply. I consider that the instruction in question applied only to the sum that was then specifically issued, viz. Rds. 500,000 ; no such limitation was enjoined by the old instructions for the original fund, which amounted to Rds. 810,255 independently of that issue, and the re-issues of capital from this fund have not been made to conform to the restriction, although in fact the whole fund has been amalgamated. The great majority of loans have been under Rds. 10,000 ; and it may be further stated, that in many cases where a large debt appears to have been contracted by an individual, it is the aggregate of loans that may from time to time have been made to him, and some of which have been discharged as appears in succeeding columns.

In the colonial secretary's letter of the 1st June 1808, I observe that no sums were to be issued from the bank without the special approbation of government ; has this regulation been attended to ?

Reply. It has not been the practice since the period that I was appointed president of the bank in the year 1816, except in special cases, when we may have had doubts ourselves of the expediency of making the advances, and in these references I have often had personal communication with the Governor without any official correspondence taking place.

Has the principle been strictly observed for the admission of persons duly qualified to afford security to the bank, according to the colonial secretary's letter of the 14th June 1810, especially in the consideration of their competency to discharge the obligations they may have undertaken ?

Reply. We have always had reference to their general

competency and previous engagements ; but we are frequently guided by considerations of the characters of individuals, and of their judgment in the engagements into which they may have entered previously.

Do you specifically apply this observation to the cases which occur, and in which the names of certain individuals appear so frequently as securities to parties receiving loans ?

Reply. I do ; I would also explain that there are many cases in which we have been generally decided, by considerations of the superior value of the property mortgaged, as well as by the credit of the personal sureties.

I perceive that in the loans applied to the erection of public buildings, that interest in some instances has been charged, and in others remitted ; will you explain this circumstance, as interest in all cases was directed to be charged by government letter, January 3rd, 1812 ?

Reply. The interest was charged in all cases at first, but it was directed to be remitted in the instance of the public offices erected in Cape Town, and of the water-works and of the public granary, which was transferred to the burgher senate ; the former was by government letter, dated 3rd April 1821, and the latter by government letters, 1818 and 1823. These letters expressed that it had not been the intention of government to charge interest upon those loans ; but the authority for remitting the interest upon the public buildings in the districts has never been specifically rescinded, it therefore has remained a charge against them respectively. Since the debt of the town granary had been made to the burgher senate, interest has been received on this bond.

Have the mortgages of the public buildings erected from that period been duly executed to the bank, and for the tolls levied to defray the expenses of making roads ?

Reply. I believe they have, but will ascertain the point specifically, as well as in regard to the mortgages of tolls in the George district, on account of which some payments have been made. I have ascertained that we possess no mortgage upon any advance on account of this fund, except for the sum of Rds. 77,835 advanced to the burgher senate for the purchase of the grain store, and which is in course of payment by instalments, with interest.

Does the bank possess legal mortgage, or title-deed, or what other securities, for the advances made on loan to individuals, and where are they kept and recorded [*See Regulation 15, of the 1st June 1808*] ?

Reply. The bank possesses regular mortgage bonds, according to a particular form, which will be furnished : the book-keeper retains them in an iron chest.

I observe that the Discount Bank allowed an interest of five per cent upon all deposits for twelve months certain, from August 1808 till the end of June 1814, when this interest was directed to be stopped. Does it occur to you to attribute to this circumstance any part of the subsequent effect of a great increase in the premium upon bills of exchange ?

Reply. I do not attribute any such effect to the abatement of interest upon deposits in the Discount Bank. The purchasers of government bills of exchange being chiefly mercantile people, the consideration of five per cent upon the deposit of a merchant's capital could not be an object, when he had occasion to bid for remittances, and the competition for bills would not therefore be affected.

Are you aware whether any considerable deposits were made at the period when interest was allowed by those holders of capital, who you state do not at present open accounts with the bank ?

Reply. I believe there are some, but I will refer to the books of that period for information upon this point. I have now to explain, on a reference to the books of the bank, that there were several instances of annuitants who made yearly deposits with the bank for the interest received ; these persons were unconnected with commerce or business, and therefore not directly interested in the fluctuations of exchange.

Were the deposits for twelve months upon interest in the Discount Bank transferable in account by the depositors, without abatement of that interest, by which parties could transfer their credits without loss when they required their funds, especially merchants ?

Reply. I beg to be allowed to refer to the books for this information, as the interests on deposits had ceased before my appointment to the bank.—I have ascertained that the interest could only be received at the termination of the year's deposit,

but the party who held a sum in deposit might transfer that credit to another, and provided the money was not withdrawn within the year interest would be paid.

I observe, that by the instructions of May 4th, 1811, the discounts were restricted to one third of the sums deposited in the bank ; has there been any authority for the increase of the discounts in so much greater a proportion to the deposits as the accounts exhibit ; viz. Rds. 1,500,000 are stated to have been deposited, of which Rds. 400,000 alone are in the bank ?

Reply. No other authority has been received than that which is implied by the knowledge that government have had of the fact by a monthly statement of our discounts which has been furnished by us, and also a quarterly account rendered to the auditor-general who passes our account, on which we receive a letter of acquittance from Government, directing us to pay the amount of profit on discounts into the hands of the receiver-general. An annual report of our proceedings is also made by the auditor-general to the government. My constant personal communication with the Governor, and with the colonial secretary upon the transactions of the bank, has generally constituted the authority or sanction for our proceedings.

17th January 1825.

[Mr. Marshall begs to explain, that on a reference to the books at the commencement of the establishment of the Discount Bank, it would appear that the discounts have never been less than two thirds the amount in deposit ; and the president and directors have considered that from this practice having prevailed, the original intention of the government had been to sanction this proportion of two thirds instead of one third issued.—Mr. M. also considers that the balance has generally been nearly equal on an average to one third of the whole deposits.]

How long has it been the practice for the bank to receive daily the sums collected by the different receivers of government revenue ?

Reply. It has prevailed ever since my appointment to the

bank, but I must refer to the record to ascertain how long anterior. On reference I find that the practice has prevailed since the year 1808.

I believe that these sums are paid by the bank to the receiver-general quarterly ?

Reply. We make the payments quarterly.

Does the receiver-general deposit the public money with the bank, or does he retain it in his own custody ?

Reply. The receiver-general is not bound to deposit the public money in the bank ; but it happens frequently that advances are made by the bank, and that the warrants, instead of being discharged, are deposited by the receiver-general with the bank till the balance of the account is in his favour, or until he may be enabled to refund it.

Can you state the circumstances that prevented the fulfilment of the instructions of His Majesty's government, communicated to you by government letter of the 8th Nov. 1816, for the destruction of the paper money created for the erection of public buildings, after the destruction of the first instalment of Rds. 15,000 by government proclamation of the 4th March 1814, repaid by the Burgher Senate ?

Reply. I am not acquainted with the circumstances that prevented the fulfilment of the instructions of His Majesty's government.

I observe the sum of Rds. 168,301 has been paid to the orders of government, subsequent to the year 1816, from the Rds. 500,000 fund ; were these orders specifically directed to be provided for from that period ?

Reply. The several sums stated in account were drawn by cheques, signed by the colonial secretary, on the bank, with directions to charge the amount to the account of the Rds. 500,000 fund.

Was it ever explained to you in your personal communications with the Governor, or with the colonial secretary, why the instructions conveyed in Colonel Bird's letter of the 8th November 1816, pursuant to the directions of His Majesty's government, were departed from immediately afterwards ?

Reply. It never was explained to me.

Are you aware whether any part of the interest received upon the loans has been directed to be applied to the extinction of

the capital of them, pursuant to the proclamation of Sir John Cradock, dated . . . . . ?

Reply. I have no knowledge of any such fact.

I believe that the advances made to the district of Stellenbosch by the Dutch government, on account of the losses sustained by fire, were partially redeemed and destroyed by government proclamation of the 4th March 1814; are you aware whether the deduction was made from the long loan fund of the sum of Rds. 24,000, ordered by that proclamation to be publicly destroyed ?

Reply. I believe it was; I have a general recollection of the fact.

Have any sums been paid to the Lombard or Discount Bank on account of the proceeds of sale of lands, buildings, or other property that may have been hypothecated as security for any part of the paper currency ?

Reply. I am not aware of any sums having been received at the bank on this account.

(Signed) J. MARSHALL, President of the Bank.

MR. JOHN MARSHALL, *re-examined*, 31st December 1824.

Are you aware of the existence of any list or schedule of the public lands or buildings that were pledged at the period of the surrender of the colony to General Craig, for the payment of the public debt that was transferred from the Dutch to the British government ?

Reply. I am not aware of the existence of such a document.

Are you acquainted with any proclamation or public document of the British government in which payment of the currency in dollars is fixed, or intended to be fixed, at any certain date ?

Reply. I am not aware of any such document or proclamation.

What do you conceive to be the public expectation that is entertained upon the subject ?

Reply. I could not venture to state what the general expectation may be upon the subject, individuals being naturally influenced by their particular interests in the determination of the question.

Have you ever considered the effect of introducing a metallic currency into the colony ?

Reply. The opinion I have entertained on the subject is, that under certain restrictions the partial introduction of metallic currency would be beneficial, especially of the smaller denominations.

Has it ever been proposed to improve the character and nature of the present paper currency, and to remedy the inconvenience occasioned by the present nature of it ?

Reply. I have suggested some alteration in it, but this has only been in the quality of the paper ; but it has never occurred to me to propose a change in the denomination.

Have you ever estimated the gain made by government in the casual destruction of its notes in the hands of individuals, and the circulation in paper of the whole of the public debt ?

Reply. I have never formed any estimate of the gain, but it might be done from the records of the bank.

In a late communication that you made to us respecting the property of Lieutenant-Colonel Bird, you stated that on making advances upon such property you are guided by your own estimates of value. Do you ever apply to the landdrost and heemraden of districts respecting the value of property in their neighbourhood, and are they in the habit of recommending individuals to the bank for accommodation upon the statements of the value of their property ?

Reply. We require the certificate of the landdrost only upon all applications for money on mortgage, both as to the value of the property to be mortgaged, and of the validity of the personal securities, if resident in the district, where we have not the information ourselves. Occasionally the applications come through the landdrost, who transmits them with the necessary certificates.

Are all applications for loans made to the president and members of the bank by letter, pursuant to the 17th art. Regulation of the 1st June 1808 ?

Reply. This is sometimes done, but when loans are solicited by the inhabitants of Cape Town, personal applications are usually made.

Has the rule been observed that was prescribed by the same

article of the Regulations, for "giving preference to the issues to such as have not received prior aid from the bank?"

Reply. Generally so; but there are other circumstances taken into consideration which regulate decisions in regard to priority of claim. Many applications for loans are made to government, and referred to the bank.

Is there any rule or principle whatever in regard to priority of application?

Reply. No distinct principle can be stated, as it is a matter of discretion devolving on the officers of the bank to exercise.

Are all applications that are made to the government transmitted through the secretary's office to the bank?

Reply. Most of them are so transmitted; but there are some that are mentioned or communicated in my personal communications with the Governor.

Has the 36th article of Regulation for the monthly comparison of the bank books with the cash balance in the chest of the Lombard Bank been attended to?

Reply. It has not been attended to since I have been in office. The money has not been counted, as the balance has been kept in the chest of the Discount Bank, and an account being opened between the banks, the balance is carried to credit of the Lombard Bank in the books of the other. The sum is inconsiderable, and the cashier has exclusive charge of it. We are not allowed by regulation to have more than Rds. 10,000 in hand at one time. More will at times be received, but the Lombard Bank is most frequently without cash, the instalments being re-issued to meet the numerous applications for loans.

How often is the cash chest of the Discount Bank examined, and the balance compared with the books?

Reply. This is not done by the president and members, as the cashier has sole charge of the chest, and makes a daily report of the balance contained in it.

(Signed) JOHN MARSHALL, President of the Bank.

MR. JOHN MARSHALL, *re-examined*, 4th January 1825.

You have stated that the president and members of the bank exercise a discretion in acceding to the applications of individuals for loans, and that many applications are made to



the government, some of which are referred through that channel to the bank, and some are communicated personally by the Governor ; has it been customary in these cases, and especially in the latter, that the members of the bank have been consulted in respect to such loans, and has their discretion been fully exercised in admitting or in rejecting them ?

Reply. Certainly, in almost all cases. I ought to explain, however, that one of the directors, Mr. Bergh, has for some time been extremely infirm, and entirely unable to attend to the affairs of the bank, having several months ago had a paralytic seizure ; it has therefore been impracticable to consult with him. Mr. Maasdorp, the other director, has been always consulted by me, when not absent from the bank.

Can you name any instance in which any application for a loan, referred in this manner to you, has been objected to by the members, and finally rejected ?

Reply. The cases referred by the Governor to the bank have been far from numerous, and of those I can remember none that have been absolutely rejected ; but I recollect one case, that of Mr. Dunn, custom-master at Algoa Bay, whose application for a loan was first communicated by the government, and I objected to the amount applied for being given to Mr. Dunn on the security proposed, and a smaller sum was recommended ; it has not yet been settled.

Have any applications for loans been referred to the bank in any manner, that the president and directors have considered themselves bound to accede to them without the exercise of their general discretion, that has been considered to devolve on them ?

Reply. I am not aware of any instance in which I have not exercised with the directors that discretion. There are cases wherein we have received the orders of government to afford accommodation to individuals, and wherein the government has exercised that authority without taking the opinion of myself and the directors, but the cases in question are but few. There are others on which we have stated our objections to the government, leaving it to the government to decide whether to admit our objections or not. There have been numerous instances in which applications have been referred through government and have been eventually rejected.

When applications for loans are under consideration are any minutes of consultations kept or recorded, and are particular days appointed and set apart for the transaction of such business ?

Reply. There are no regular days appointed, or minutes of proceedings kept, as the applications are of daily occurrence, and as most of the applications are personally made, and which we have generally preferred on account of the facilities in obtaining information from the party who personally applies respecting the nature of his security. We did at one time adopt the mode of fixing days for the transacting of such business, but we found much inconvenience attend it.

Are you aware of any inconvenience having arisen in the former administration of the bank from adhering to the regulations, prescribing that all such applications with the necessary explanations should be made in writing ?

Reply. The fact I believe to be, that the regulation in question never was rigidly adhered to or enforced, and that personal applications have been usually preferred ; from the country they have necessarily been in writing.

Have you any reason to doubt the correctness of the information on which securities have been taken in the country districts for loans ?

Reply. It may happen that a party applying from a distance may attach a superior value to his property that he offers as security for a loan, which gives occasion to correspondence and to a demand for the certificate of the landdrost. The information after all may be still imperfect, as the personal securities may not be known to us, and much time is consumed in references, which are avoided by the opportunities of personal communication and inquiry ; I have no reason to suppose, however, that the securities on which loans have been granted in the country districts have not generally been adequate.

Have you recorded the correspondence that has passed with the bank respecting loans, and have you a list of applications ?

Reply. We have both the correspondence and a list of the several applications. I would not undertake to say that the list is perfect, as the number of applications that are verbally made and rejected are considerable ; a very great majority

are rejected on account of the want of funds, and no notice is taken and recorded of most of them. Cases arise in which the parties request that their applications should be entered, which is complied with by their insertion in a book.

Can you distinguish from the books the several loans that have been granted upon orders of government without reference to the discretion of the president and members of the bank ?

Reply. I ought to have explained that the loans of that description have been advances made from the Discount Bank upon sufficient security ; these advances have generally been made with a view to their being taken over by the Loan Bank when it should be in funds, and in that case the adequate security required by the regulations is taken.

You have stated that applications have been frequently referred to the bank through the office of the colonial secretary, have the orders to make advances from the Discount Bank been received from thence in writing ?

Reply. I believe they have, there possibly may have been some that have been verbally communicated.

Will you state whether in the administration of the bank, there has been any interference whatever with the discretion exercised by the president and directors, which has tended to obstruct them in the pursuit of the strictest impartiality in deciding on claims to accommodation ?

Reply. Undoubtedly not. The discretion of the president and members has been duly exercised in all instances in which the orders of government have not superseded the application of it. At the same time, in the case of applications for loans from persons in official stations (many of whom stand much in need of such accommodation), there is a natural desire on the part of those who administer the establishment, to accede to their wishes to the extent of a fair participation in the accommodation afforded by the bank to the public, when the interests of the establishment are sufficiently preserved.

In these and in other loans that are advanced by the bank, is the object with which they are applied for adverted to by the president and directors, and does it constitute the ground upon which any preference may be given ?

Reply. The object of the loan is generally adverted to, and

considered in the determination to accede to or reject it. The object of official persons, not being capitalists, is generally to enable them to purchase permanent residences, which being mortgaged to the bank in the advances, enable the proprietors to transfer the estates when they have occasion to do so to other persons similarly circumstanced with themselves.

How do these official persons provide for the continuance of the mortgage upon the estates they nominally possess in this manner ?

Reply. The mortgages to the bank are gradually liquidated, possibly from the savings of official salary or other sources, and the private mortgages may be prolonged.

Is it customary when bank loans have been so reduced, to make advances again upon the application of the parties ?

Reply. This is occasionally done, both in the instance of official persons and of others.

Have advances been made by the bank to persons who are generally in arrear in payment of the instalments of principal or interest upon outstanding loans ?

Reply. This is frequently done, and the bank has consulted its own interests by doing so, as parties who are in difficulties have needed such assistance to save them from a great sacrifice of property to which they might be liable, and it has been done in some instances out of personal consideration to the parties who would have suffered.

In what manner was the application of Colonel Bird for a loan on his property in Cape Town, and at Hout Bay, as appears by the Return, addressed to the bank ?

Reply. It was a verbal application made by Colonel Bird through the medium of Mr. Stoll.

Was it explained to have been required with the object of building upon the land ?

Reply. I do not recollect that it was so stated, or that any particular explanation was given.

Have any notices been published from the bank requiring persons who have failed to fulfil their engagements to discharge their debts ?

Reply. Occasionally there have, but with very inconsiderable effect.

Do you still consider that under the general communications

that you have received, not to press the parties who are indebted, that you are withheld from immediately adopting legal means for recovery ?

Reply. We have in various instances abstained from resorting to legal proceedings, knowing it to be the sentiments of the Governor, that in the circumstances of the colony, it would be unadvisable to press the parties where the ultimate recovery was not risked by the securities becoming inadequate.

Is it your opinion that a peremptory demand upon the parties to fulfil their engagements to the bank, would be in any respect injurious to the colony or to the interests of the establishment ?

Reply. I am of opinion that some injury might ensue from a sudden and general application of the principle, but we have endeavoured within the last year, and succeeded, in introducing a greater degree of punctuality in the discharge of engagements ; this has been effected in a great many instances by summoning the parties, and by pointing out to them, that in the event of any irregularity or failure in the fulfilment of the engagement they would forfeit all claim to future participation in the accommodation of the bank.

From your experience in the banks, have you had occasion to observe that inconvenience has arisen from the quality of the paper of which the currency notes are made, and has it facilitated forgeries ?

Reply. I am of opinion that much inconvenience results from the nature of the notes ; as the cartoon of which they are made is broken by being folded, and forgeries are thus facilitated by joining pieces together ; this is the usual mode in which frauds have been attempted, but some instances of complete forgery of notes have been committed.

Do you conceive that much of the paper currency, especially of the smaller denominations, has been worn out and lost ?

Reply. I conceive that a considerable quantity must have been so destroyed, but this could only be accurately ascertained if the paper were called in.

Do you conceive that the greater part of the loans outstanding have been contracted by individuals with a view to improvement of their property, either by cultivation of land or the erection of buildings, or for the convenience that you

have spoken of, in holding or acquiring estates upon borrowed capital ?

Reply. I cannot venture to say what may have been the object of the borrowers in a majority of cases ; but I am aware that in a great many instances, loans have been obtained with the view of rendering the properties on which they were secured more readily transferable.

Do you conceive that greater difficulty exists in disposing of an estate that is unincumbered, than one which is mortgaged to the bank for a loan bearing interest ?

Reply. Considerably greater difficulty exists in effecting the sale of an estate not mortgaged than one that is mortgaged, and which will account for the desire to obtain that species of accommodation from the bank.

Are you aware whether persons possessed of capital have sought that species of accommodation from the bank with a view to facilitate the transfer of their estates to others, not of themselves able to purchase them or to pay the full value ?

Reply. There are many persons possessed of capital who have sought and obtained advances from the bank upon mortgages of their property, and, as I conclude, with the object you speak of.

(Signed) J. MARSHALL, President of the Bank.

12th January 1825.

I request to explain, that in the allusions I have made to personal communications between myself and the Governor respecting the affairs of the bank, it has not been my intention to throw any responsibility upon the Governor from my having acted on such personal communications, without obtaining the official authority prescribed by the Regulations. These cases have been but few, and which have not appeared to me to call for more specific authority than has been required in the ordinary transactions of the bank.

(Signed) J. MARSHALL.

[Original.]

*Letter from the* REVEREND THOMAS PRICE *to* R. WILMOT  
HORTON, ESQRE.

VICARAGE HOUSE, SOUTH MIMS, NEAR BARNET.  
MIDDLESEX, *January 13, 1825.*

SIR,—I beg to apologise for troubling you with the following enquiry, and hope to be excused upon ground of its importance to our African Colonists.

A person who occupies a large tract of land near Algoa Bay, Cape of Good Hope, is desirous of employing a certain number of young persons of both sexes of the poor belonging to some Parish in England. He will take them from the workhouse, relieve the parish of all expences on their account, and engage to maintain them for 7 years, provided Government will give them a free passage to Algoa Bay or any adjacent port, whenever an opportunity offers. I should feel much obliged by your favouring me with an early answer on this subject, and am, Sir, &c.

(Signed) THOMAS PRICE, Curate of South Mims.

[Original.]

*Letter from* LORD CHARLES SOMERSET *to* EARL BATHURST.

CAPE OF GOOD HOPE, *14th January 1825.*

MY LORD,—In a Dispatch which I did myself the honor to address to your Lordship on the 7th of January 1823, No. 31, I took occasion to mention the necessity that I anticipated would at an early period arise, or the retirement of R. J. van der Riet Esqr. from the office of Sequestrator on account of his advanced age, and the very extensive encrease of the duties of that office, which are of so important a nature to the Public that I own I have looked with no inconsiderable degree of anxiety for the moment when Mr. Van der Riet should be induced to feel this necessity. At the same time I have been aware that he would have a just claim to a considerable pension from His Majesty's Government.

His services of fifty years in laborious situations are detailed in the memorial which I have the honor to transmit to your Lordship, and as I find upon minute inquiry that the statement contained therein is strictly correct, of his circumstances having become greatly embarrassed by the calls (unavoidable on his part) upon his hospitality, when Landdrost of Stellenbosch, particularly on the occasion alluded to in the 4th article of his memorial, I have ventured to assure him of your Lordship's approval of my allowing him to retire on half his salary, Two thousand Rixdollars per annum, about one hundred and forty three Pounds Sterling.

The difficulty I now have to contend with, is the replacing Mr. Van der Riet efficiently, on account of the extreme inadequacy of the salary of the office to its present laborious duties and responsibility. In my letter to your Lordship, of the 7th January 1823, I stated that the remuneration ought not to be less than six thousand Rixdollars per annum. I had hoped that His Majesty's Commissioners of Inquiry might have, ere now, had it in their power to have investigated this office, but other duties more pressing have prevented them. As however I find in communication with them, that it may be considered expedient hereafter to recommend the transferring a part of the duties of this office to another Department, I decline to suggest any specific encrease of Salary for the Sequestrator, and trust your Lordship will be satisfied with my saying that I will make the best arrangement I can with regard to the temporary emolument of the office, the first object being to place an officer in it, thoroughly competent to its duties.

I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Enclosure in the above.]

To His Excellency the Right Honble. General Lord Charles Henry Somerset, Governor and Commander in Chief, &c. &c. &c.

The Memorial of Ryno Johannes van der Riet, Sequestrator, Humbly Sheweth,

That the duties of Memorialist's Office have increased to



such a degree, that his advanced age does not permit his performing them any longer with the required zeal and activity ; he therefore takes the liberty to request your Excellency to allow him to retire, upon his full Salary, in consideration of the following circumstances :—

That the Memorialist has been in the Service of this Government for a period of nearly 50 years, having been appointed Junior Clerk on the 31st August 1775, afterwards promoted to Head Clerk in the office of the Secretary to the Court of Justice, and sole Notary Public in the Colony, in which situations he continued until the year 1787, when he was appointed Member of the Worshipful Court of Justice, and in September 1795 he was selected by Sir James Craig for the situation of Landdrost of Stellenbosch, in 1812 he was appointed Secretary to the Insolvent Estates Chamber, and in 1819 Sequestrator, the duties of which situations, the Memorialist flatters himself, he has performed in a deserving and faithful manner, without however reaping so much as will enable him to support himself in his old age, for which reasons Memorialist begs to implore Your Excellency to take his case into your favorable consideration.

Memorialist takes the liberty to add :—

1st. That by his speedy supply of provisions to the British Troops on their march to Saldanha Bay, previous to the capture of the Dutch Squadron at that place in the year 1796 and for the good order, which the Memorialist preserved in his District, he received the unqualified approbation of His Excellency Sir James Craig, in a very flattering Letter, which is now deposited in the Records of the Board of Landdrost and Heemraden of Stellenbosch.

2nd. That His Excellency Sir James Craig reported the conduct of your Memorialist, favorably to His Majesty's Ministers, in one of His Despatches, which he allowed Memorialist to peruse.

3rd. That His Majesty's Ministers replied to the above representation, in terms very flattering to the Memorialist, which Reply was published in Newspapers at that time.

4th. That at the surrender of the Colony in the year 1806, all the troops were encamped at Stellenbosch while Generals Baird and Beresford, with the whole of their Staff and all the

principal Officers were lodged at the Memorialist's House, for *Fourteen* days, without his having received any remuneration for the same, he having expended on that occasion from 10,000 to 12,000 Rds., the nature of which entertainment and the trouble the Memorialist was put to, His Excellency General Beresford, now in Europe, as also Sir John Truter, who assisted and was present at the Capitulation, may testify; it is true the Memorialist has never claimed any remuneration, but General Baird granted the Memorialist (though unasked for by him) an allowance of 500 Rixdollars annually, which he received up to the year 1812, when this allowance was transferred to Memorialist's successor, Mr. Van Andringa, a man who never rendered any particular service to Government.

That Memorialist acted as Landdrost of Stellenbosch for 16 years, during which time he entertained all the British Officers who visited the Drostdy.

That on the Memorialist's appointment to the Situation in the Insolvent Estates' Chamber, the Revenue accruing to Government from that Department amounted to from 12,000 to 14,000 Rds. per annum, whereas it now exceeds 50,000 Rds. a year, from this circumstance your Excellency will perceive, that the duties of the Sequestrator's Department have considerably encreased, and that it is impossible for an old man to do justice to them.

The Memorialist begs further to observe that the Salaries of all the Civil Servants have been encreased and their situations improved, except that of Memorialist.

On these grounds Memorialist prays Your Excellency will be pleased to take his case into your serious consideration, and allow him to retire on the conditions above submitted. And as in duty bound Memorialist will ever pray &c.

(Signed) R. J. VAN DER RIET.

Cape Town, 16th December 1824.

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[Copy.]

*Letter from LORD CHARLES SOMERSET to the COMMISSIONERS  
OF ENQUIRY.*

NEWLANDS, 14th January 1825.

GENTLEMEN,—I had the honor duly to receive your letter of the 4th instant, submitting to me the result of your investigations at the bank, and detailing various instances of the president and directors having deviated from the regulations by which they were instructed to be guided.

I lost no time in calling upon those gentlemen to explain themselves to me on the several points in question, and have now the honour to transmit to you the explanations they have afforded. Upon the subject of being guided by any interference on my part, I must most distinctly deny ever having authorized a deviation from the regulations, except in cases especially brought before me and recommended by the president and directors.

It is true I have had frequent communications with Mr. Marshall upon matters of general policy concerning the bank, when I have freely given him my opinion, particularly upon the inexpediency of pressing debtors to ruin, by enforcing the repayment of capital when the interest could be regularly received, particularly towards individuals who had suffered by the various calamities with which this settlement has been visited during the last five years. I have not committed these opinions to writing that they might not have the appearance of mandates, it having always been a principle with me that the Governor should on no account assume an authority over the transactions of loans.

On perusing the replies made by the president and one of the directors (the other being absent from sickness), I am ready to acknowledge the soundness of their reasoning on the inapplicability of many of the regulations to the present times ; but it has not failed to occur to me that in such case it would have been more becoming to have brought to my notice the expediency of a revision of their instructions, rather than to have persevered in a silent non-observance of them. Of this Mr. Marshall is fully sensible, and I feel persuaded that he is

entirely disposed to adhere to any instructions which can tend to secure the public interests, and that he has on all occasions acted with the best intentions and the most rigid integrity.

I have &c.

(Signed) CHARLES HENRY SOMERSET.

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[Copy.]

*Letter from* LIEUTENANT-COLONEL BIRD *to the* COMMISSIONERS  
OF ENQUIRY.

LIESBEEK COTTAGE, 14th January 1825.

GENTLEMEN,—It does not occur to me that it was anyway necessary to have entered into the subject which fills the 2nd, 3rd, and 4th pages of the letter you have honoured me with, dated 12th instant. I had expressed no wish that you should explain to me the motives which actuated you in the resolution you so early acted upon in my regard, I had formed a “very decided opinion” relative to that resolution, and nothing which has subsequently occurred has in the slightest degree shaken that opinion, and consequently I could not require or wish for any explanation on that subject. I am certain I never said or insinuated that you discouraged me from affording you information, and therefore I am quite at a loss to discover what can have induced you to disclaim such an intention. I perfectly recollect the conference to which you did me the honour to invite me, and which you now allude to, which was chiefly on the subject of the Settlers in the Albany District; I recollect also, leaving that conference with the full confirmation of the impression which your first letter had made upon me.

I had no other object in my letter of the 9th inst. than to point out the unfairness that is manifest in now applying to me for information which was, from whatever cause, not sought for when I had the means of affording it with security to myself, and probably with satisfaction to you.

I continue to view this in the same light, and feel moreover

that your present communication ought not to have been addressed to me ; I have no documents to refer to, I have no memoranda to elucidate the abstruse matter which you put to me, I know that it would take a pamphlet to reply with the accuracy and precision they deserve to the queries in your letter. Moreover I cannot think or admit that you have any further claim upon me, under which you should assume to require this, or any other information from me on official subjects. My crippled state has alone kept me in this colony, and the impossibility I am in of leaving the country until some favourable change may shew itself with respect to me. Mr. Bigge told me that the only information which would be required from me, before I went, would be relative to the Erf in Strand Street, and yet it is now wished to engage me in a correspondence of which there is no foreseeing the end. Besides, notwithstanding all my caution and notwithstanding the assurance in your letter now under consideration, that you do not require me to pledge myself to the statement you call upon me to make from recollection, you demand from me "*precise authority*" for an opinion I have hazarded, notwithstanding all my caution you misinterpret my words to make me assert that I have protested against your proceedings, when the truth is that I have done no such thing, but have protested against being held responsible for the inaccuracies of statements and opinions which I had no documents or data to support or establish.

Notwithstanding all my caution, the opinions I have ventured to give have not escaped the sneering taunt of being termed very "decided opinions." I should be glad to know, whether, in all the years I have been here, it is not natural I should have made up my mind on such a subject as that which has called forth your remark ; your opinions may differ from mine, they may possibly be more accurate, but they will probably be equally decided, or they will be useless.

In my reply to your several queries I must of necessity be very brief.

1. I am aware that the Batavian authorities did not destroy the Rds. 250,000 which the British Lieutenant Governor, General Dundas, accounted for to them ; they continued it in circulation, it was an error in judgment in the General to have

settled this matter with the Dutch authorities, he should have collected the amount in paper, and have destroyed it.

2. It is not probable that Sir D. Baird knew the above circumstance when he signed the capitulation, he was then in the Cape Downs, and had no means of examining into the state of the currency, and consequently as that amount was in circulation when he signed the 9th Article, it appears to have been included in the meaning of that article. I believe that as the Dutch Government continued the circulation of the amount, it must be considered in the same light as if they had created a new sum of Rds. 250,000 and had issued it; such an act would have increased their debt to the Public to that amount, and I consider the above transaction to have had a similar effect, and that its value was therefore assented to by the capitulation.

3. I know of no public document that varied or extended the 9th article of the Batavian capitulation.

4. I know of no issues of Paper currency made by the first British Administration which were subsequently recalled and cancelled, when the Town surrendered in 1806 the Treasure was as usual claimed as Prize, and was ultimately so distributed, this must have included whatsoever there was of Paper Money in the Public chests; there was however some difficulty in getting at the Treasure, for upon General Janssens having moved out of Cape Town to endeavour to repel the British aggressors, the Dutch Civil Servants thought proper to divide the Treasure amongst themselves, but the servant of one of them (now in British employ) having given information that her master had a large proportion of the plunder, enquiry took place, and much of it was recovered, but not the whole; it is evident that the British General would not consider the money applicable to the redemption of any antecedent debt, if such existed, of which I am not aware.

5. On the subject of the reissue of a proportion of the 500,000 Rds. fund, I beg to refer to His Excellency Lord C. H. Somerset, under whose authority such reissue must have taken place.

6. I have not the date of the Dutch Tariff of the value of Coin, in all the first acts of the Dutch Government the Rix-dollar is called of "48 Zwaare Stivers."

7. I cannot be specific as to the despatches which have

referred to the state of exchange, but I am aware that it has often been alluded to as ruinous to the Colony, an examination of the Despatch Books might elucidate this.

With respect to the mode in which the payment of the Sterling Salaries has been effected, I beg to say that I have uniformly entertained a "very decided opinion" adverse to the system which has been pursued, but the only redress I ever obtained was the having a general average taken from the Commissariat Bills instead of an average from the 3 highest tenders, a mode adopted at the suggestion of Mr. Byng when he was Colonial Paymaster. I had long however ceased to speak on a subject on which my opinions had been overruled. Nothing can more clearly demonstrate the impropriety of the present mode of paying the salaries than the fact that not very long since the warrants for the payment of the Civil Servants were quashed, after having been made out, in order to frame a fresh average, in which the biddings of the first day of the following quarter should be introduced, which thereby enhanced the amount of Rixdollars paid to each individual, I don't recollect to what amount. This is one among many proofs of the error of the System, and of what may be effected by the help of an obsequious auditor.

8. I have not data by me to shew by what my opinion was guided in believing that the Rixdollar had not been greatly diminished in public estimation in the purchase and sale of lands, nor have I now the memoranda I had collected relative to the average prices of articles of the first necessity. The prices fixed by the magistracy, on which at the time the Town was supplied upon the old German System of a maximum at which the agriculturist should be paid, can hardly be considered a fair criterion, the German policy was to benefit the Townsman at the expence of the agriculturist ; perhaps therefore the commissariat and naval contracts may be considered more eligible media for coming to the required conclusion, but many circumstances independent of the state of exchange tend to vary the Market Prices ; thus the price of wheat in the recent prices quoted in your letter will probably have been affected by the large export now going on, equal to  $\frac{2}{3}$  of a year's consumption for Cape Town ; on the other hand Barley and Hay are now at prices full as low as I ever remember them,

the first being 3 Rixdollars per muid, the latter two Rixdollars the Cwt., altho' the paper is now more depreciated in exchange than it has been at any former period.

9. All Mortgages purport to be in Guilders of Indian value, that is of 3 Guilders of 16 Zwaare stuyvers to the Rixdollar; I know of no understanding with the Borrowers, except that the repayment shall be made at 10 per cent per annum after the expiration of the first two years for which the money is lent.

The paper from which I copied the extract to which you refer is not in print, whether it should be published is for others to decide. I have &c.

(Signed) C. BIRD.

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[Original.]

*Letter from MR. THOMAS PRINGLE to EARL BATHURST.*

CAPE TOWN, CAPE OF GOOD HOPE, *January 15, 1825.*

MY LORD,—I beg leave respectfully to submit to your Lordship's consideration, as Head of the Colonial Department of His Majesty's Government, the following statement, and to solicit such redress as the circumstances may admit of.

I am one of the Emigrants who came out to this Colony with the support and sanction of Government in 1820, I was the leader of a party of Scotch Agriculturists, several of whom were my own relations. My objects were two: First, to establish my friends and party as Settlers. Secondly, to obtain some employment for myself under the Colonial Government. These objects I had clearly explained in my correspondence with your Lordship's Office before my embarkation; and having had the honour to be recommended by Sir Walter Scott and Mr. Barrow, my personal deficiency in funds was not considered an objection, and I received a letter from Mr. Goulburn to Lord Charles Somerset recommending me for some suitable appointment under the Colonial Government.

On my arrival here in 1820 I found that Lord Charles had left the Colony, and that the letter I brought from Mr. Goulburn



could not be opened by those to whom the Government was delegated. I left it therefore at the Colonial Office to be transmitted to His Excellency in England. Colonel Bird and Mr. Ellis, the Colonial Secretaries, informed me that it was necessary for me to proceed with my party into the Interior, and that my zealous furtherance of the views of Government in promoting the success of the Settlement would be the best recommendation of my own personal interests to the attention of the Government. This advice seemed to me reasonable and proper, and I cheerfully obeyed.

I proceeded with my party to the location assigned us on one of the sources of the Fish River, about a hundred and fifty miles above Graham's Town. I found the situation to be wild, dangerous, and difficult of access, far remote from any market and from all other Settlers whether English or Dutch, and lying much exposed to the incursions of the Caffers and Bushmen. By the advice of the magistrate who located us (Captain Harding) I appointed regular nightly watches out of the party, which were kept up for nearly a year, until we obtained military protection from the Government. In these watches I took my turn personally. I did my utmost to keep up the spirits and industry of the party, through all the difficulties and privations and disappointments of our situation, and I was successful.

The party, with the exception of one or two individuals, have adhered steadily to their location, and have uniformly displayed a spirit of quiet subordination and persevering industry. There has never been a quarrel among themselves, nor a complaint from them of the Government or of any of its functionaries. For these satisfactory results I am far from arrogating the sole merit to my own exertions. Much is due to the other heads of families in the party, much to the kind and prompt attention of the Colonial Office and of the local authorities of the district in which we were placed. But I may, I trust without presumption, venture to say that my zealous personal exertions during the first two trying years were nevertheless not unimportant in securing success to the party and satisfaction to the Government.

For proof of the correctness of this statement I respectfully beg leave to refer to my correspondence, as head of the Party,

with the Colonial Government and its provincial functionaries, now in possession of His Majesty's Commissioners of Inquiry.

Upon the return of Lord Charles Somerset, I wrote to him, explaining the views with which I had come out, and referring His Excellency to the letter of Mr. Goulburn and other recommendations in my favour. After some time I obtained the appointment of Sub-Librarian in the public Library recently established in Cape Town by the Government. But finding the salary of 1000 Rixdollars very insufficient for the support of my family, I afterwards, with the approbation of Government, opened a private Academy for the instruction of youth, and invited out my friend Mr. Fairbairn, an accomplished Teacher, to assist me.

About the beginning of the last year I also commenced a periodical work, in conjunction with Mr. Fairbairn, and with the professed sanction of the Colonial Government.

Up to the middle of May last all went on smoothly and prosperously with us. Our new Academy was flourishing, popular, and every day increasing in numbers; we had ten Boarders and about forty other pupils. We had published two numbers of our Literary Journal, which were very favourably received; the number of subscribers exceeded our expectations and was rapidly increasing. At this juncture the Fiscal suddenly assumed a right of controul and censorship over the Press. He sent for me to his office, informed me that several expressions in our second number had given much offence to His Excellency the Governor, and demanded a pledge that we would thenceforth insert nothing of a similar description, or likely to offend those in authority.

Perceiving the difficulty and peril of the situation in which we were thus placed, alarmed by the example which had just occurred of the publisher of another periodical having been ordered to quit the colony by a summary warrant, and disliking, moreover, to edit any work under such a censorship, we felt the necessity of instantly discontinuing the publication, although we thereby suffered a severe immediate pecuniary loss, as well as whatever profit or advantage we had in prospect. About this period a great sensation having been occasioned by the stopping of an independent press in Cape Town, a Memorial to His Majesty the King in Council, praying for the extension

of the freedom of the press to this Colony, was drawn up and numerously signed by all ranks, but more especially by the English merchants at the Cape. To this Memorial I naturally enough put my signature. These acts, namely that of declining to conduct the literary Journal under the controul or censorship of the Fiscal, and adding my signature to this memorial, were considered as unpardonable offences by his Excellency the Governor. He soon after called me before him, and, in the presence of Sir John Truter, the Chief Justice, reprehended and upbraided me in a manner so severe and (as I conceived) insulting that I felt myself under the necessity of instantly resigning the situation of Sub-Librarian which I held under his Government.

Had His Lordship confined himself, however, to the private denunciation of his displeasure now referred to, I might not have felt myself under the absolute necessity (however deeply injured and undeserving of such severe reproof) of proffering any personal complaint to your Lordship. But when Lord Charles, not content with this, nor with the serious pecuniary loss I had sustained by the necessary stoppage of our Journal in consequence of the Fiscal's interference, nor with my resignation of the office I held in the Library, a resignation forced upon me by His Excellency's taunting and contumelious treatment ; when His Lordship, not satisfied with all this, and without any just cause, has continued ever since to manifest towards me such a spirit of hostility and vengeance as greatly to disturb my quiet, to impair my public reputation, and to defeat my honest endeavours to gain a respectable subsistence in this colony, I feel imperatively called upon to appeal to your Lordship for protection and redress.

In corroboration of these serious charges I beg leave to state the following facts :—

Soon after my interview with His Excellency above referred to, an infamous placard was reported to have been posted up, grossly reflecting on the honour of His Excellency : an immense reward was offered for the discovery of the author, and warrants were issued by His Excellency to search the papers of *suspected individuals*. On this occasion I accidentally discovered, to my inexpressible horror and annoyance, that the Fiscal had been *authorized* to insert my name among others of

a very disreputable description in such warrant *signed* by the Governor, thereby tending to convey an indirect but disgraceful and disgusting slur on my reputation. And although this Warrant was not actually executed (in consequence I believe of my prompt and urgent appeal to His Majesty's Commissioners of Inquiry as soon as I was aware of it) yet the Fiscal refused on my application to afford me any explanation as to the ground on which it was issued, or to make any apology for the intolerable affront thus offered to me. The existence of this Search-Warrant, and the intention of executing it, were well known in the Government Offices, as I am prepared to prove.

To the same effect, I have also to state that when His Excellency thought fit in August last to put down a literary and scientific Society then on the eve of being organized, and of which sixty-one of the most respectable individuals in the Colony had associated themselves as members, he openly said to Mr. Henry Cloete, advocate, who had waited on His Excellency to solicit him to become patron of this Society, that "he was fully determined to thwart and oppose, so long as he held the reins of government, everything whatever in which Mr. Pringle and Mr. Fairbairn were concerned," or words to that effect.

To these notorious instances of His Excellency's personal rancour and relentless hostility I might readily add others of a more private nature which have been communicated to me from various quarters; but I scorn to make expressions used in private or familiar intercourse (however prejudicial they may prove when proceeding from a personage of such high authority and influence) the subject of formal complaint. The *effects* however of this avowed and inveterate hostility on the part of the Governor towards a humble and defenceless individual may be easily conceived by your Lordship, nor is it difficult to elucidate them by facts.

For example, some months ago, when a friend of mine (a respectable clergyman in the Colony) complained to a gentleman in the confidence of His Excellency of certain calumnies which had been conveyed to his Lordship respecting him, he was told that he could not expect anything else, since it was observed that he was *still* in the habit of *visiting at my house*.

More recently when a number of the principal Scotch inhabitants of this place met to petition the Governor for permission to erect a place of worship in connection with the national Church of Scotland, and it was proposed that I should be nominated one of the Committee, this proposal was opposed and finally negatived on the sole ground that my name was notoriously "obnoxious to His Excellency," and my being on the Committee might (owing to his well known hostility to me) be highly prejudicial to the object they had in view.

These incidents, my Lord, might easily be multiplied, but they might appear trivial, and they would indeed be trivial in England. But in this Colony, where the Governor represents the august person of His Majesty, where his power is almost uncontrolled and his influence everywhere felt, the *avowed* hostility or even dislike of His Excellency to an individual in my situation amounts to a sort of Civil proscription. My reputation is my best, almost my only possession : of this my Character as a good and quiet citizen, as a man of loyal principles and of irreproachable conduct, constitutes an important part, and is indeed essential to any degree of success as a Teacher, and though I do not profess to adduce direct evidence that Lord Charles has ventured to impeach my character distinctly *in words* in any of these points, yet your Lordship will perceive from the preceding details that the decided opposition and enmity he has so unequivocally avowed amounts virtually to the same thing. For it cannot easily be conceived that a nobleman occupying the exalted station of Governor and supreme Judge of this Colony, and representing the person of our gracious Sovereign, could so far forget his dignity and his duty as, from the mere caprice of arrogant authority or from vindictive malice, publicly to denounce in the manner above stated a humble and defenceless individual, who never intentionally offended him, and to whom he officially owed encouragement and protection.

But whatever may be the cause of his Lordship's hostility, or his excuse for the avowal of it, the consequences have been to me sufficiently disastrous. In July last our little Academy was the most respectable and prosperous School in Cape Town, and was attended by a large proportion of the children both of the Civil Servants and of the Military Officers in the Colony.

In the course of a few months, however, after his Excellency had openly denounced myself and my coadjutor Mr. Fairbairn as "*obnoxious*" and without any other intelligible cause, more than one half of our pupils (and these principally the children and connections of persons dependent on the Colonial Government) were gradually withdrawn from our School.

And though the disfavour of His Excellency towards us, and his "professed determination to oppose whatever we were concerned in," were not avowed by these persons as the cause of their withdrawing their children, yet the remark already mentioned of one of the Civil servants to the Clergyman who "was still in the habit of visiting at my house," and the prudential fears of the Scotch Committee, sufficiently indicate the effect of His Excellency's denunciation, in connecting our names with apprehensions of his enmity and opposition, in undermining our credit and influence, and obstructing our success in our profession.

So early as September last indeed I began clearly to perceive that it would be impossible to keep my ground here against this indirect but irresistible hostility, and I therefore began quietly to make preparations to arrange my affairs with the view of leaving the Colony and of making a personal appeal to your Lordship in England. But the accumulated losses occasioned by the sudden stoppage of our Journal, and the unexpected desertion of our School (in the establishment of which I had embarked whatever Capital and credit I could command), have placed me in such a predicament that it is almost equally difficult for me to support my family in this Colony or to return to England. And thus, my Lord, in place of a comfortable livelihood and a fair prospect of realizing a competence for my future years (and such were my circumstances little more than six months ago) I find all my prospects suddenly blasted and myself unexpectedly overwhelmed with debts, which I see no means of reducing or getting rid of. And this most unhappy predicament, my Lord, I do in my conscience and in good faith ascribe in a very great measure, if not altogether, to the hostility and unmerited opposition of His Excellency the Governor.

I do not directly affirm (what it might be difficult directly to prove) that Lord Charles *intended* to work my absolute ruin

by the course he has pursued towards me ever since my interview with him in May last. But I maintain that the course he has pursued naturally and necessarily led to this result, that he ought accordingly to be answerable for the consequences, and that I have a just and strong claim on the Government, of which he has thus abused the power and influence, for redress and compensation. This Claim I humbly and respectfully but confidently submit to your Lordship's candid consideration ; and I flatter myself, from your Lordship's regard to impartial justice and public duty, that this appeal, though preferred against a person so greatly my superior in rank and influence, will not be made in vain.

But, my Lord, I do not merely appeal for justice as a dutiful and loyal subject of His Majesty, unjustly and injuriously treated by His Representative the Governor, but with all deference and respect (yet with the pride and boldness due to my own character) I humbly lay claim to your Lordship's favourable regard and approbation for what I have done in this Colony.

I have already alluded to my successful exertions in the settlement of my Party. My claims in that respect will, I feel confident, be fully admitted by every officer of the Colonial Government with whom as head of the party I had any transactions, and will I trust be corroborated by the Report of the Commissioners of Inquiry. In this capacity I have no complaint against the Colonial Government, and I freely and cheerfully acknowledge that I and my party *as Settlers* have been treated with sufficient attention and support. But in my individual capacity, as connected with the press and as an instructor of youth and a quiet citizen of Cape Town, and as meriting in these and other respects not merely common justice and protection, but also encouragement and support from His Majesty's Government, I do conceive, my Lord, that I have been subjected to most severe and inexcusable ill-usage. My best and most meritorious actions have been treated as crimes. My establishment of a Literary Journal devoted to the improvement of the Colony was regarded from the first with jealousy and aversion, and its strict adherence to truth and honesty speedily drew down upon me most bitter reproof and persecution. My zeal in assisting to organize a Literary

Society has been branded as a breach of Law and an insult to constituted authority. My having signed along with two hundred other inhabitants of Cape Town a respectful Petition to the King in Council for the privileges of a free press, and my having voluntarily furnished information of abuses to the Commissioners of Inquiry, are considered as unequivocal evidence of a tendency to turbulence and "disaffection."

But, my Lord, I have that high confidence in your Lordship's liberal sentiments and conscientious respect for consistent principle that I scruple not to found my chief claim to your Lordship's favourable consideration on the very grounds for which I have been here reviled and ruined. I hesitate not to confess to you, my Lord, not only my active zeal in setting on foot the Literary Journal and in organizing the Literary Society, but also in supporting the Memorial for a Free Press, and above all in coming forward among the first, frankly and fearless of consequences, to furnish information of various flagrant abuses to His Majesty's Commissioners of Inquiry.

Whether in these matters, or in my earnest exertions through the medium of the Press, to disseminate a spirit of conciliation and concord, of enterprise, industry and perseverance among my fellow colonists, and more especially of respect and forbearance towards all in authority, and of perfect confidence in the paternal attention of His Majesty's Government, I have any just claim to merit as an inhabitant of the Colony, I presume not to say and shall leave others to determine; but I was, at all events, surely entitled to justice and protection, I ought surely to have been exempt from insult and obloquy, injury and persecution.

This I will at least say for myself, that with the conscientious purpose of promoting the good ends I have mentioned I have zealously devoted the humble talent which God has given me, I have risked property and private interest. My merit in all this may possibly be but small, but certainly, my Lord, I have not deserved the treatment I have on this account experienced at the hands of the Colonial Government, nor to be deprived of every means I proposed of benefiting the public or my own family, and driven back to the wilderness to inaction and indigence.

But I have trespassed too long on your Lordship's time by



this desultory letter. I shall compress therefore what I have further to say into a few words. I respectfully request that your Lordship will be pleased favorably to consider my case, for the impartial merits of which I beg leave to refer to His Majesty's Commissioners of Inquiry, to whom I shall convey a copy of this letter for their investigation and report. I solicit no vindictive redress, but merely some compensation for my actual losses, to retrieve me from the distressing situation to which I am now reduced, and to place me once more at liberty to prosecute my plans either as a settler or otherwise as circumstances may render expedient. I have &c.

(Signed) THOS. PRINGLE.

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[Original.]

*Letter from MR. THOMAS PRINGLE to EARL BATHURST.*

CAPE TOWN, CAPE OF GOOD HOPE, *January 15, 1825.*

MY LORD,—I beg leave to mention that since writing the Statement which accompanies this, I have had an interview with Major Colebrooke, to whom (not having yet had time to lay before him a copy of my written statement) I took occasion to mention verbally the purport of my application to your Lordship. Major Colebrooke said that, in reference to their primary objects of Inquiry, though perfectly willing to receive and investigate the claims or complaints I might have to prefer, yet it was not their usual practice, in matters of this nature, to report to your Lordship separately or specially on personal or private claims, unless they were particularly referred back to them from home. Such at least is the impression of Major Colebrooke's meaning which this conversation left on my mind. I foresee therefore the probability of long delay in awaiting here the result of an application which must thus be necessarily twice referred from the Cape to England and back again. And as my present circumstances and views are such that delay would be almost as disastrous to me as entire disappointment, I shall endeavour, if no better may be done, to make arrangements for returning to England before

the close of the present year, and there personally submit my case to your Lordship's impartial consideration as I originally intended.

Yet, as I would not, if it could possibly be avoided, undertake at this time so long and expensive a journey, nor trouble your Lordship with my personal grievances farther than is absolutely requisite to save my family from want and ruin, I respectfully submit to your Lordship whether some compensation might not be now accorded me as a *Settler*, in which capacity at least I humbly venture to presume that my claims to consideration will be fully and freely admitted both by His Majesty's Commissioners of Inquiry and by the Colonial Government.

What I mean, my Lord, is simply this :—If a sufficient grant of land, and competent means of occupying and improving it, could now be allowed me on the ground of my successful exertions as the head of a party, I am still willing, after all that I have seen and suffered, to try my fortune as a settler in South Africa, where so many of my friends and relations are already fixed. But as I have neither lands nor funds remaining (the Location granted in my name being really the rightful allotment of the several families composing my party, and long ago surrendered by me without reserve into their possession) I have no means nor prospect of succeeding as a Settler without the direct and efficient aid of Government. If however your Lordship shall be graciously pleased to view my humble but zealous services as the leader of one of the most orderly, industrious and energetic parties that have come out to South Africa, as deserving of some such moderate compensation and encouragement as I have suggested, I shall feel duly grateful for such favourable consideration, and willingly admit that all my claims on His Majesty's Government have been generously cancelled. If the result is otherwise I must be resigned, but your Lordship in the latter case will not be surprised at my adopting the only alternative that remains to me, namely that of speedily abandoning a colony where as a literary man I have been insulted and persecuted, as an instructor of youth openly discouraged and secretly calumniated, and where as a Settler I have now no better prospect before me than poverty and distress.

I have only, my Lord, to add in conclusion, that if in this or

in the accompanying Statement any expression may have escaped me which may seem too strong or unguarded, I hope your Lordship will be graciously pleased to excuse it and attribute it to any other cause rather than want of confidence in the paternal care and impartial justice of His Majesty's Government, or any want of becoming respect towards your Lordship's exalted station and character. I have &c.

(Signed) THOS. PRINGLE.

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[Original.]

*Letter from LORD CHARLES SOMERSET to EARL BATHURST.*

CAPE OF GOOD HOPE, 18th January 1825.

MY LORD,—I have the Honor to report to Your Lordship that it is my Intention to set forth on the 27th Instant for the Frontier. I am fully sensible of the very serious Inconveniences that cannot fail to arise from any protracted absence on my part from the Seat of Government, but I have also felt the necessity of leaving nothing undone that is within the reach of Government to contribute to the successful Establishment of the British Emigrants in this Colony. His Majesty's Commissioners of Enquiry have paid them a long visit. A Commissioner (Wm. Hayward Esqre.) appointed for the purpose of settling their Differences either amongst themselves or with the Government has minutely investigated every case brought before him. A Port has with great Exertion and Expence been established for them at the Kowie mouth. Security has been given to their Persons and Property from the Inroads of the Kaffers by the able and energetic measures of the present Commandant on the Frontier (Lieut. Colonel Somerset) and I am now about to visit them in person to ascertain what more it is in the power of Government to do for them. I have postponed my visit partly in the hope of having the assistance of one of the Vessels of His Majesty's Squadron on this Station to bring me from Algoa Bay on my return, in order to shorten my absence from home (no Vessel belonging to the Squadron here having been in these Bays till

within a few days during the last Eight Months) but in this Expectation I have been disappointed ; I have the honor to annex a correspondence which has passed between Commodore Moorsom and myself. I have no doubt that the contents of Commodore Moorsom's Letter are in strict accordance with his Orders, but I respectfully submit to Your Lordship that it might be of serious avail to the public Service in the present state of this Settlement, where there is a large Community at each extremity of it, if the Senior Naval Officer were instructed, when there is a necessity for the Governor's presence in a distant part of the Colony, to afford him the assistance of one of His Majesty's Vessels for his conveyance.

Should the rains commence previous to my Return, I may be detained a month or more on my Journey back from the swelling of the Rivers. The land journey is 700 miles, by sea the return voyage for the next 10 or 12 weeks can easily be performed in 3 days. In September 1819 I went thither in His Majesty's Ship *Redwing* in 46 hours.

I am at a loss to comprehend the Commodore's meaning relative to the Expence, as no allusion to that point was made by me. In September 1819 I presented Captain Hume with £100 for taking me to Algoa Bay, in November of the same year I presented a like sum to Captain Chapman for conveying me from Algoa Bay in His Majesty's Ship *Nautilus*.

I cannot refrain from again repeating to Your Lordship the Importance of the Government (sic) of this Settlement being aided in his Duties on pressing occasions by the Naval Department. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Enclosure 1 in the above.]

NEWLANDS, 12th January 1825.

SIR,—Unavoidable public Business requiring my presence on the Frontier of this Settlement and a protracted absence on my part from the Seat of Government being of very serious Inconvenience to the affairs of the Colony, I take the liberty of soliciting the assistance of His Majesty's Ship *Andromache* to bring me from Algoa Bay on my return, by which at this

period of the year I may calculate to make a great saving of time. I shall be obliged to you to inform me when the refitment of the *Andromache* will permit her to be in Algoa Bay in order that I may make my arrangements accordingly. I have &c.

(Signed) CHARLES HENRY SOMERSET.

To Commodore Moorsom.

[Enclosure 2 in the above.]

HIS MAJESTY'S SHIP *Andromache*,  
SIMON'S BAY, 14th January 1825.

MY LORD,—I have the honor to acknowledge the receipt of your Excellency's letter of yesterday's date, stating your projected visit to the Frontier, and soliciting the assistance of His Majesty's Ship *Andromache* to bring you from Algoa Bay on your return to the seat of Government, with the reasons which induce the request. In reply I am to acquaint your Excellency that His Majesty's Ship under my command cannot be appropriated to this service. It is probable that a Sloop of War may shortly arrive on the Station to replace His Majesty's Sloop *Delight*, and if so, I may be able to afford to your Excellency the assistance of this Vessel or of the *Espiegle*, but I beg you to observe that under the pressure of the present duties of the Squadron I can by no means guarantee this.

I embrace this occasion to acquaint your Excellency that my Instructions relative to the directing of passages at the Public Expense are specific and positive, and that in the event of your Excellency embarking in one of His Majesty's Ships under my Orders, under the circumstances stated in your letter, the expense thereof cannot be defrayed by the Naval Department. I have &c.

(Signed) C. R. MOORSOM, Commodore.

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[Copy.]

*Letter from the REVEREND WILLIAM SHAW to JOHN  
GREGORY, ESQRE.*

GRAHAM'S TOWN, *January 18th, 1825.*

SIR,—I have the honor to acknowledge the receipt of your Letter of the 27th Ultimo and to make the following statement respecting the Wesleyan Mission in Cafferland for the information of His Majesty's Commissioners of Enquiry.

The Institution called Wesleyville was only commenced in December 1823, or about thirteen months ago, and is in the District under the authority of the Sons of the late Congo.

The number of Persons who have already connected themselves with the Institution, and who are now under my Instruction, is about 150, of which number about 100 are *Adults* of both Sexes. In addition to these there are the Inhabitants of the Kraals of the three principal Chiefs of the Tribe, whose residences are all within a quarter of a mile of the Institution, and the greater part of whom more or less frequently attend Divine Service, especially on Sabbath days.

A School has been commenced in which there are upwards of *Sixty* children, who attend very regularly, and have made an encouraging degree of progress in reading.

A Twelvemonth's residence in a *Pagan* Country scarcely warrants my saying anything respecting either the good that has been already effected or the benefits to be anticipated from Missionary Labours, but I may remark that a comfortable building, used at present as our Church, and which is generally well filled on the Sabbath days with a Caffre Congregation varying in number from 150 to 200 Souls, who behave very decorously, is to my mind satisfactory ground of hope as to future success, especially when I may be able to communicate with them in their own language.

The chiefs of the Tribe have ever afforded all necessary countenance and protection, and are themselves rarely absent from Divine Worship. They also permit their women to attend, and several of their *Children*, who will eventually succeed to the different degrees of authority in the tribe, are

enrolled on the Books of the School, and very regular in their attendance. Two of the chiefs generally appear at Church on Sabbath Days in European Costume, as do also about *Twenty* of the natives belonging to the Station. It is a remarkable fact that the only Caffres who have enquired after Clothes and other Conveniences of Civilization at the Market at Willshire, are those who are more or less under the influence of this or the other Mission Stations.

It is perhaps not improper for me to remark that I do not believe that any Individual of the Tribe has been engaged in the plundering excursions to the Colony, since the commencement of the Mission. I know that the Chiefs have been particularly attentive to that point, and during Thirteen Months past, in which the Military have been more than ordinarily alert, they have never pursued "a spoor" or Track of stolen cattle into Congo's District, nor ever found it necessary to fire a shot against any of his people. I do not mean to place this circumstance entirely to the credit of the mission, other causes which I could explain have contributed to this result ; but I may nevertheless be allowed to claim for the Mission *its share* in educing this state of things.

In reply to your enquiry on that head, I have to say that there *is*, on the part of the Caffre chiefs generally, a disposition to receive and to protect Missionaries, and also a desire on the part of many of the people to avail themselves of the means of Instruction afforded by the residence of Missionaries among them.

You have included the Ghonaquas in your enquiries. It is however impossible for me to give any distinct and separate Statement respecting that people, as they have long been completely blended and intermixed with all the Tribes in Cafferland, and can no longer be recognised as a distinct race. With great respect &c.

(Signed) W. SHAW, Wesleyan Missionary.

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[Original.]

*Memorial of MR. J. B. EBDEN.*

To the Right Hon'ble Earl Bathurst, &c., &c., &c.

The Memorial of John Bardwell Ebden, Merchant, Sheweth,

That Your Lordship's Memorialist resided many years at the Cape of Good Hope as a general merchant, and having been extensively engaged in its commerce has become intimately acquainted with and interested in the affairs of that colony.

That Memorialist has experienced, in common with others, the severe inconvenience and evil arising from the fluctuating and depreciated value of its currency, and has long directed his attention to the most efficient means of preventing the ruinous consequences to which that degradation leads, and which threatens to undermine the otherwise flourishing state of that settlement.

That memorialist considers the introduction of an adequate capital thro' the medium of a Joint Stock Banking Company a measure well adapted to the attainment of the end in view.

That the want of capital, and of some Banking Establishment for general purposes, which would give stability to the circulating medium, and tend to the advancement of the commercial and agricultural interests, has been long and severely felt, and from the encreasing population and revenues of the Colony this want is daily becoming more apparent.

That there are at this time several capitalists, who in conjunction with your memorialist and others deeply interested in the prosperity of the Cape, would willingly embark in and support such an undertaking, provided it had the sanction of His Majesty's Government.

It is proposed that the Capital of the Company shall be £600,000, divided into shares of £50 each, which would be an ample guarantee to Government, and to the Public, for the due fulfilment of its engagements, but as a further security it is suggested that a part shall be invested in the public funds, in the names of trustees to be appointed and approved for that purpose.



That, assuming as a fact that the Government stands pledged to redeem the paper money in circulation at the value at which it was issued (viz. 48 Dutch stivers, or 4*s.* sterling, per rixdollar) and that such redemption affords the only means of re-establishing the currency on a safe and solid basis, it becomes an important consideration how this object can best be attained with the least possible loss to the Government and inconvenience to the public.

Without troubling your Lordship with a detail of the causes of the present depreciation of the paper Currency, it may be sufficient to state that by the latest advices from the Cape, the rate of Exchange is Rds. 14 3 *sk.* per pound sterling, or in other words, the value of the circulating medium is about one third of the sum at which it was originally issued.

That this alarming state of the currency is an evil of the utmost magnitude, and unless some effectual and immediate check be opposed to its growing influence, threatens destruction to the best interests of the Colony.

Memorialist therefore begs leave briefly to point out to your Lordship how in his opinion this object can be readily accomplished by means of a Joint Stock Banking Company.

Taking the amount of Paper money in circulation at three millions of rixdollars, the sterling sum for which Government is responsible to the public, at 4*s.*, is £600,000.

But as the degradation has been progressive, it may be a question whether it would be politic, either as regarded the interest of Government or of the public, to redeem the paper at its full issued value.

What sterling value should be affixed to the rixdollar might be left for competent authorities to determine, but fixing its value at 2*s.* to serve the present purpose, it is suggested that the local Government shall issue debentures for the whole amount in circulation at that rate, say for £300,000, bearing interest at 5 per cent (the legal Colonial interest being 6 per cent) payable out of the Colonial revenues, either in England or at the Cape, which by contract with the Company should be exchanged for their notes payable in gold at the same rate, 2*s.* per rixdollar.

Thus thro' the medium of the Bank would Government be enabled to fulfil its engagements with the public ; the Currency

of the Cape would have a fixed and determinate value, and would be thereby placed on a sure and solid foundation.

Memorialist therefore humbly begs that His Majesty may be graciously pleased to sanction the formation of a Joint Stock Banking Company at the Cape of Good Hope, by his Royal Charter; and further, that your Lordship will give your powerful support to an application to be made to Parliament for an act for its incorporation.

And your Memorialist as in duty bound &c. &c.

(Signed) J. B. EBDEN.

COPTHALL CHAMBERS, THROGMORTON STREET, 18 *January* 1825.

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[Office Copy.]

*Letter from R. W. HORTON, ESQRE., to the COMMISSIONERS OF ENQUIRY.*

DOWNING STREET, LONDON, 19th *January* 1825.

GENTLEMEN,—Captain Dukinfield of the Madras Cavalry having arrived at this Office with a box of Official documents which he stated that he was requested by you to deliver as soon as possible, and that Officer having accordingly claimed to be indemnified for the travelling expences from Portsmouth, I am directed by Earl Bathurst to convey to you his request that in order to guard against unnecessary expences of this description you will direct all persons whom you may deem it expedient to entrust with your despatches to deliver them as is usually done at the first Post at which they may touch on their arrival in England, either to the Postmaster or to the Officers of His Majesty's Customs; and I am further to acquaint you that in all future cases his Lordship will feel it his duty to resist claims of the nature of that preferred by Captain Dukinfield, unless the persons bringing your dispatches should also be the bearers of special communications from you stating that they had been desired not to deliver your dispatches in the manner pointed out, but to bring them to this Office with extraordinary expedition. I have &c.

(Signed) R. W. HORTON.

[Copy.]

*Letter from the Landdrost of Albany to the Commissioners  
of Enquiry.*

CAPE TOWN, 19th January 1825.

GENTLEMEN,—I have the honor to inform you in reply to your Letter of the 17th Instant that the applications for pecuniary assistance from those persons in Albany who had suffered from the Storm that occurred in October 1823 were made by Memorial to His Excellency the Governor and those Memorials were referred to me for my Report on the correctness of the several representations, and that consequently no question required to be submitted to the Board of Landdrost and Heemraaden excepting that of the adequacy of the Security which was considered by the Board when the parties whose applications had been acceded to by His Excellency attended to execute their Bonds.

The Notarial Bonds passed for the Sums advanced in December 1823 are deposited in the Office of the Notary of the District, and the Sums given by way of gratuity were advanced on my report to the Government.

The Bonds for the advances made to Individuals in July 1824 have been duly executed in the presence of the Board of Landdrost and Heemraaden and are deposited in the Office of the Secretary of the District. In these Bonds the parties have mortgaged their properties of every description whatsoever, and Two persons have joined as collateral security, but in the Notarial Bonds taken for the sums advanced in December 1823 Collateral Security had not been given. I have &c.

(Signed) HARRY RIVERS.

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[Copy.]

Letter from MR. GEORGE GREIG to R. WILMOT HORTON, ESQRE.

32, CITY ROAD, January 19th 1825.

SIR,—I have the honour to acknowledge the receipt of your communication, dated 31st December 1824, in which Lord Bathurst requires an explanation of some part of my communications with the colonial department, relative to the suppression of my newspaper, &c. by Lord Charles Somerset, at the Cape of Good Hope.

In the first place, Sir, I must have been misunderstood in being supposed to have stated, that I had received a sum of money from the colonial government for my "*printing presses*" and printing materials. What I stated was, that the colonial government had purchased my "*printing apparatus*," according to an inventory regularly made out and sworn to; but as in that inventory I knew that the "*presses*" were *not* enumerated, I could not in any conversation have particularized them.

I have also been misunderstood as stating that the *presses* had been made over to an individual for the purpose of printing. I stated, that from my knowledge of the fact of there being no other printing materials in the colony but those which belonged to me and to the colonial government, I knew the individual had derived his means of printing from them; but I certainly never spoke of the "*presses*" forming part of these. Not only does private information place the above fact beyond doubt, but the very *types* and *paper* which I had are now employed in printing the newspaper published by that individual. I also stated, that shortly after my departure, a press of mine arrived in the colony, for the purchase of which application was made to my agent, but refused on the ground that my speedy return was expected.

The ground of my application to Lord Bathurst, on learning that Lord C. Somerset had sanctioned the establishment of a printing office with *my materials*, pending my dispute was, that the Governor having stated in the warrant, that "*the presses were to remain sealed up till His Majesty's pleasure should be known*," he was, as I conceived, sacredly bound to

await that decision, before he permitted my right to be invaded. You, Sir, having acquiesced in my view of the case, stated that Lord Bathurst would direct the restitution of my materials on paying for them, with the equity of which offer I expressed myself so far perfectly satisfied. The term "press," in its general acceptation, implies a printing office; if at any time I have used it in this sense, and been understood as applying it literally, I cannot but regret it; for in no other way can I account for my meaning having been misapprehended. Having then, Sir, never claimed from Lord Bathurst, restitution of the "presses," I think it hardly necessary to enter into any detail of the circumstances under which I first became possessed of them. Whatever claim I may have, either in law or equity, upon the presses, clearly lies against Dr. Philip only; but however strongly I may have felt that he did not act uprightly in regard to the presses—not intentionally perhaps, but from a fear of involving himself, and consequently the London Missionary Society, in a political quarrel—I consented to their being withdrawn from me, and put up to public sale, when it was my intention to have purchased them. Before any sale took place, and before they were removed, the Governor interfered, by suppressing my paper and sealing up my presses. Thus the presses never were out of my possession, and I therefore was, I conceive, fully justified in considering them my presses.

In my first statement to Lord Bathurst, I did not at all enter into the dispute with Dr. Philip; not from any desire to conceal the circumstance, but from a feeling (to which I still adhere), that it was wholly irrelevant to my case. What I complained of was, that not only had my newspaper been suppressed, but my business as a printer annihilated, and my character aspersed. For these I prayed restitution to the colony, and remuneration for my losses. I subsequently stated, that in open violation of the warrant directed against me, and while my dispute was under Lord Bathurst's consideration, the Governor had patronized the establishment of a printing office, and that my "printing materials" had been appropriated to that purpose. In the latter communication I have been mistakenly supposed to have said, that my "*presses*" were also used by the individual, and that I prayed for *their*

restitution. I have a press in the colony, and were the printing materials which I disposed of to the colonial government restored to me, I should on my return be in a condition to recommence business. This, Sir, is all I meant to have stated. As I have, however, been understood to include the presses, and as Dr. Philip has introduced my name in his communications with the Governor on the subject, I can in a few words explain to Lord Bathurst the manner in which I became possessed of them, and my reasons for styling them "my presses."

In August 1823 Dr. Philip offered me the use of the missionary presses, if I would get them put in repair, to print the report of the Settlers Fund Society. I expended a considerable sum of money in getting them put in order, to compensate for which he allowed me the use of them ; but doubts being entertained that the Governor would interfere with the establishment of a press, I gave Dr. Philip the receipt mentioned in your letter ; in order that, should any such interposition take place, he might claim them. Shortly after, when I informed the doctor I was about to write home for presses and printing materials, with a view to print a publication, he said I might either use those I had, till mine should arrive from England, or consider them wholly mine, and pay for them when convenient. He preferred the latter method, alleging that he, as a missionary agent, did not wish directly or indirectly to be connected with politics. Dr. Philip always objected to any written document passing upon the subject, saying, it would be sufficient to give a receipt when the presses were paid for. From that time I never entertained any doubt that the presses were my property, and I accordingly wrote to England for printing materials "*without presses*\*." In December 1823 (while Dr. Philip was in the interior) I purchased from the captain of a ship residing at the Cape, a large quantity of printing materials, but *no press*, by which I was enabled to commence a newspaper two months earlier than I could expect my materials from England. On Dr. Philip's arrival in Cape Town, I called on him, and offered to *pay for the presses*, conceiving that he would feel anxious to be entirely free from them, now that a newspaper

\* Those materials, together with a managing printer, actually arrived at the Cape in March 1824, without any *press* or *presses*.

was commenced. He declined accepting payment then, under the impression that as I had incurred a heavy expense, I could not well afford it ; no further mention of them was made for some weeks, and subsequently when the Governor began to take umbrage at the paper, Dr. Philip was induced to pledge himself to Mr. Wilberforce Bird that he would withdraw the presses from me, notwithstanding his former promises. Dr. Philip excused himself to me, by saying, he was entrapped into it, by Mr. W. Bird holding out a threat if he did not withdraw them, the Governor would denounce him to Lord Bathurst as a political intriguer. He also said, he had forgotten having promised them to me, and as I could produce no written document, he could not retract his pledge to Mr. W. Bird. I was greatly surprised at this, and having consulted some legal and mercantile men, was advised to tender their value to Dr. Philip, and keep possession until obliged to surrender them ; this I declined doing, out of consideration for former friendship, and I made up my mind, whatever pecuniary sacrifice might have attended it, to purchase the presses at the sale. The interference of the Governor, before any sale took place, and the presses continuing in my possession, rendered any further step unnecessary. With regard, Sir, to the assertion, that at the time my paper was suppressed, it was Dr. Philip's intention to have taken the presses from me, "in consequence of the improper use I appeared to be disposed to make of them," I could hardly for a moment, were it not so stated in your letter, believe Dr. Philip capable of making such an assertion ; I would fain hope, for his credit, that a wrong interpretation has been put upon his words. The fact, Sir, is, as before observed, that previously to the suppression of my paper, the doctor (according to his *own* statement) was threatened by Mr. W. Bird, that if he did not withdraw the presses from me, the Governor would write to Lord Bathurst and accuse him of being at the "head of a radical press," and acting under the alarm of such an imputation, regardless of his former understanding with me, he pledged himself to do so, and put them up to public sale.

I perfectly remember having stated to the Governor that I had expended a large sum of money in the purchase of my "printing materials ;" but as I was conscious of not having

paid Dr. Philip for the presses, I most positively deny having ever specified them in any communication with him.

With reference to Dr. Philip's answer to the Governor's communication, I have, Sir, already explained why I was justified in considering the presses my property. It must, I think, appear quite obvious, that had I not been fully impressed with this conviction, I should, at the time of writing to England for printing materials, have included *presses* in the order. The pecuniary consideration was of no moment whatever, for two presses like those I had from Dr. Philip can be purchased here for £18 or £20, while the amount altogether expended exceeded £1,000. With reference to the document which Dr. Philip brings in support of his claim to the presses, I most positively declare that that receipt was given when I first obtained the presses from Dr. Philip, and that, at his suggestion, it was merely given, as before explained, to provide against any interposition on the part of the colonial government with the establishment of a press in the colony. Although I do not consider the existence of any dispute between Dr. Philip and myself as at all affecting the measure of injury I have sustained from Lord Charles Somerset, I cannot, Sir, avoid expressing myself astonished that Dr. Philip should have resorted to that document to prove his right to the presses, when he must not only have recollected for what purpose it was originally given, but also that, from subsequent conversations, I considered myself the owner of the presses. In any controversy with the Governor, Dr. Philip had an undoubted right to shape out his own defence; but in doing this, I do not hold him at all justified in distorting facts which may operate to another's detriment.

It will, Sir, I think, clearly appear from the preceding remarks, that *my presses* were in fact taken from me by Lord C. Somerset, and that I was in consequence deprived of the means of pursuing my business. It cannot surely be considered of the least importance to the question at issue whether the presses belonged to the Missionary Society or to me. Suppose the presses had been withdrawn from me, and put up to public sale, (for upon *no other* condition would I have consented to their being withdrawn,) I had resolved, cost what they might, to purchase them; therefore that circumstance would, as I



conceive, have availed nothing. The presses were not sealed up, because they *did* or did *not* belong to the Missionary Society, but because the Governor considered it an effectual means of suppressing my newspaper. How then can the mere question as to the actual property in the presses affect my case, or be a justification of Lord C. Somerset in *ruining* me, aspersing my character, and *annihilating* my *business*? The presses always were in my possession, and were presumed by the Governor to belong to *me*, for the warrant directs "the sealing up of all and every the press and presses of *him* the said *G. Greig*," &c. Besides, even admitting that on the presses being withdrawn from me I might not have succeeded in purchasing them, a temporary delay only would have been the consequence, for I could have got one made in the colony, and in a few weeks afterwards the press, for which I had written in contemplation of enlarging my paper, arrived from England, and is now in my agent's hands. But the act of the Governor of which I complain did not merely seal up *this* or *that* press, it *wholly prohibited* me from printing! Thus, Sir, I beg again to submit that it cannot be of the slightest consequence to my case to whom the presses belonged, or what was the precise understanding between Dr. Philip and myself. The parts of your letter which appear to me to require explanation, are those in which I have been misunderstood as applying for restitution of my "presses." What I desired to be restored was (as far as practicable) the "printing materials" of which I disposed to the colonial government, and which are now manifestly in use to my detriment. Now, Sir, as a regular inventory of those materials (a copy of which, in the event of my having made arrangements to return to the Cape, I expected would be called for by Lord Bathurst) was made out by the appraisers, in which "the presses" were *not* enumerated, it must, I think, appear certain that I never could have sought for their restitution.

I have, Sir, before adverted to the assertion that the alleged guardian or proprietor of the presses was on the point of withdrawing them at the time the government seal was placed upon them; I therefore consider it only necessary to repeat that such an intention did not arise out of any improper use he conceived I was disposed to make of the presses, but from

having, as he himself stated, been betrayed into a pledge so to do, in open violation of our previous understanding. I feel perfectly satisfied, Sir, that Lord Bathurst cannot for a moment suspect me of a deliberate intention to deceive him. In every communication with the colonial department, whether written or verbal, I have aimed at the strictest regard to truth and candour. If I have on any occasion been misapprehended, I deeply regret it; but surely this cannot be considered as betraying a desire to deceive his Lordship. Any misstatement, of what strictly regards my case, could be productive only of disgrace, and a total disregard of the pressing injuries I have sustained, besides being capable of easy refutation. In a pecuniary point of view, the property in the presses is not worth disputing; their value does not exceed £20 while the amount paid to me by the colonial government for my printing materials exceeded £840. I therefore, Sir, finally submit, that not only have I not exhibited any intention wilfully to mislead Lord Bathurst, but that had it been my wish so to do, it could have answered me no earthly purpose. With the utmost respect, I remain, &c.

(Signed)      GEORGE GREIG.

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[Office Copy.]

*Letter from* EARL BATHURST *to* LORD CHARLES SOMERSET.

DOWNING STREET, LONDON, 22nd January 1825.

MY LORD,—I have the honor to acquaint your Excellency that in consequence of an application which I have received from Dr. Wehr, I have been induced to allow that Gentleman to prolong his residence in Europe until the 1st of July next.

I have &c.

(Signed)      BATHURST.

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[Copy.]

*Letter from the COMMISSIONERS OF ENQUIRY to LIEUTENANT-COLONEL BIRD.*

CAPE TOWN, 22nd January 1825.

SIR,—We do not acknowledge the receipt of your letter of the 14th instant with the purpose of troubling you to make any further reply to ours, but simply with a view of reserving to ourselves the right of referring to you upon the present, or upon any other subject of our inquiry, with which we are justified in supposing that you are fully conversant.

We beg leave to add that in the examination of the measures connected with the past or present state of the colonial currency, it is very far from being our object to revise, or to fix upon Individuals the responsibility that their share in those measures may have created, or to bring into question the accuracy of their recollection respecting the details to which they refer, or of their judgment in the opinions they may deliver.

We give them credit for a wish to promote the general improvement of the colony, or to afford it relief from the pressure of an acknowledged evil, by a cheerful contribution of the stock of information they may possess ; and in seeking for that information, we make it our study to interfere as little as possible with their personal convenience, as well as to avoid all unnecessary reference to considerations of a personal nature. We have &c.

(Signed) JOHN THOS. BIGGE,  
W. M. G. COLEBROOKE.

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[Copy.]

*Letter from the REVEREND W. R. THOMSON to JOHN GREGORY, ESQRE.*

CHUMIE, 22nd January 1825.

SIR,—I had the honor to receive your letter of the 24th Ultimo containing various enquiries by His Majesty's Commissioners of Inquiry respecting the Institution at this place

and on other subjects connected therewith and the people of this Country. In answer to which I beg leave to submit the following Statements for their information.

*Population at the End of the Year 1824.*

	Married.		Children.			
			Above Puberty.		Under Puberty.	
	Male.	Female.	Male.	Female.	Male.	Female.
Kaffres . . . . .	28	32	6	2	38	26
Ghonas . . . . .	17	22	5	3	22	21
Inmates and Dependents, principally Young Men and Widows						
Kaffers . . . . .	9	26	1	1	7	13
Ghonas . . . . .	6	7	1	0	1	1
Total . . . . .	60	87	13	6	68	61
Total 295						

In the preceding table you will perceive a greater number of married women than men, but as you are no doubt aware of the practice of polygamy in this country the circumstance requires no further explanation. It may be necessary however to state, that after settling at the Institution no person is allowed to increase the number of his wives. At the time of my Colleague Mr. Brownlee's Establishment at this place about four years and a half ago, the greater number of those distinguished as Ghonas (allowing for the increase in families) settled with him and also two or three of the Kaffer families. They had been all of them I believe formerly connected with the late Mr. Williams, and those with a few more who on his Death were scattered, some in the Colony where they still are, and others in Kafferland, constituted the whole of the population upon the place at that River. Not having any correspondence however with the Society to which he belonged, I cannot speak with certainty respecting that Institution.

About a year after Mr. Brownlee's Establishment here a

considerable addition was made, by the Settlement of a body of Kaffers, whose Chief on his Deathbed a short time previous had earnestly recommended his people to remove thither. From that time until last year there were very few accessions from the Natives. At the End of 1823 the population amounted to 223. During the past year therefore, as will appear by a Comparison of the table with the last amount, the encrease has been considerable, and is actually more than is here shewn, if we take into account about eighteen individuals, who as they were subjects of Enno, removed to the new Institution, recently formed by the Revd. J. Ross, A.M., in that Chief's Country.

We have good reason to hope that our labours among this people have not been in vain. Such of them as have been any time connected with us have made considerable progress in the acquisition of religious knowledge, and an outward regard at least is paid to their moral duties towards God and their Neighbour. There are among them Five Men and Two Women, who have been admitted to the Communion of the Church, by the Sacraments of Baptism and the Lord's Supper, with whom both before and since we have had the greatest reason to be satisfied; and there are at present Eight men and Seven women, candidates for the same privilege, who besides the common daily instructions are weekly catechised in the Doctrines and Duties of Religion, and whose conduct is becoming their profession.

Our influence cannot be expected to extend much beyond the space of our immediate labours, and even within this narrow limit we found our designs counteracted for some time by the secret jealousies, prejudices and malicious whisperings of those without.

Latterly however I believe those feelings towards us have been in a great measure subdued, and we are happy in observing greater cordiality and receiving more hearty welcome by the people in our Neighbourhood on occasional Visits for their instruction.

And even in more extended journies throughout the Country we find a marked difference in the manner and disposition of the people, a degree of frankness and confidence which formerly we seldom met with.

His Majesty's Commissioners must be aware of the com-

parative obstacles to the progress of that people in the Arts and Habits of civilized life, and that the same advancement cannot be expected from them in their present situation as might be if they were placed in more favourable circumstances for their acquirement. Such as their opportunities have been I may be permitted to say that they have made a respectable progress, and give good encouragement to hope that if they enjoyed similar advantages to the youth of civilized Countries they would in no respect be inferior. They have a natural strength of intellect superior to many savage tribes. Their muscular Strength is well known, and they are not so much given to Indolence even as some who have enjoyed more advantages, but the force of habit and national prejudices must so long as they exist greatly retard the work of civilization.

The following facts will shew what changes in their mode of life and advances towards civilization have been made, observing at the same time that the description is equally applicable to the pure Kaffer as the Bastard Ghona. The village contains independent of our own dwelling, Thirty Houses or Huts, (the rest of the people live in the usual round Huts) of two apartments each, constructed in the European fashion, with what is commonly called wattle and daub materials. These houses were erected entirely by the men. One brick house has lately been commenced, which will probably be followed by many more; to each house a small garden is attached, cultivated also by the men, in which in addition to their usual crops, they rear a few potatoes and culinary vegetables.

A few individuals have trained to the yoke, and work, their own Oxen when necessary. There are also some who can work with more or less neatness at the following occupations, Ploughing, waggon driving, brick making, and brick laying, sawing with hand or pit saws, planing, thatching, besides many other casual operations as they may occur. In some of these Employments they require no directions, whilst in others they require not only direction but personal assistance. Of European Clothing they are in general very fond, but like their Countrymen are unwilling to sacrifice what they consider substantial property for such a luxury. Spades, Hoes and Axes would be universally adopted by them if they had the means of procuring them. As it regards the females, they enjoy

fewer advantages. Many of them have been and are now taught sewing and knitting, but from want of materials this acquisition can add little to their own comfort or advantage; and in conclusion I may add, that with few exceptions every individual Male or female and even Children manifest a willing disposition for employment, not so much perhaps from industrious habits or a desire for improvement as on account of the payment attached to their Services. So far as we have been able we have furnished them with employment, and indeed we have had no other assistance either in field or domestic work. Our payments have been made in what may be called the circulating medium of the country. It would no doubt greatly promote their advancement in civilization if work was paid with useful manufactured articles, but without a specific fund, our limited private means would be altogether inadequate to this object.

The Race of people called Ghonas do not in my opinion exhibit a greater aptitude in the acquirement of civilized Arts and Habits than the Kaffers. On a comparison, *in similar circumstances*, the latter are much superior in every respect, more intelligent, submissive, tractable and faithful, and performing their Duties with cheerfulness. The modesty and docility of the one contrasted with the pride and pertness of the other, is too apparent to escape the observation of any one who has the smallest intercourse with them. I will admit that of an equal number of Ghonas and Kaffers more practical knowledge in civilized arts and immediate fitness for useful work will be found in the first class than in the last, but I would attribute the difference entirely to the previous habits of each.

The One has been reared up under the influence of civilized Society, with the daily operations of civilized life constantly before his eyes, and taking himself a part in those operations according to his ability, whilst the other has grown up under the equally if not more powerful influence of Barbarism. From the experience I have had of both descriptions, I would decidedly give the preference to the Kaffer, not only as the most agreeable but with a little attention and training as the most useful Servant.

I must be excused to the Commissioners from entering at

present on the subject of the latter part of your Letter, I feel the difficulty and delicacy of venturing an Opinion where I believe many have already been given. By next post however I hope to be able to offer you some remarks. Meantime I have &c.

(Signed) W. R. THOMSON.

Monday. Before sending this off I have the pleasure to say that Two Men proposed themselves yesterday as Candidates for baptism ; they are from among the last people who settled at the Institution, and who previous to that had been in the habit I understand of coming a distance of many miles to attend public worship on the Sabbath.

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[Copy.]

*Letter from* LIEUTENANT COLONEL BIRD *to the* COMMISSIONERS  
OF ENQUIRY.

LIESBEEK COTTAGE, 25th January 1825.

GENTLEMEN,—I do not reply to your letter dated the 22nd (received yesterday) with any wish to prolong the correspondence with which you have honoured me, but merely to do myself the justice of not seeming to acquiesce in positions which I cannot admit to be correct. I beg therefore to say that where you take to yourselves credit for courtesy towards those with whom your duties have induced you to correspond, I do not allow that such can in any degree apply to the communications with which I have been favoured.

Lest also you should again misconstrue my meaning and erroneously infer that by my letter of the 14th I meant in the most remote degree to shrink from the responsibility which may attach to any acts which may be assumed to connect me with the measures to which you allude (or to any others), I beg to bring to your recollection that in a very early stage of our communication I courted enquiry into any part of my public or private character or conduct, both which I shall be ever ready to lay open and justify when called upon to do so. I have &c.

(Signed) C. BIRD.



[Copy.]

*Letter from the Landdrost of Stellenbosch to the  
Commissioners of Enquiry.*

LANDDROST'S OFFICE, STELLENBOSCH, *January 25th 1825.*

GENTLEMEN,—I have the honor to acknowledge the receipt of your Letter dated 17th Instant requesting “to be informed whether the property of the Stellenbosch Missionary Society had sustained injury from the Storms in the Year 1822 and whether the Sum which they obtained from the Discount Bank has been applied to the Repairs or to the Erection of a Chapel.”

In answer to which I beg leave respectfully to acquaint you, that as this transaction did not pass through my Office, I am totally unacquainted with it, but it appears from the report of the Ward Master made at that time, that their former property had sustained a trifling injury. I have &c.

(Signed) D. VAN RYNEVELD, Landdrost.

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[Copy.]

*Letter from LIEUTENANT COLONEL SCOTT to the COMMISSIONERS  
OF ENQUIRY.*

SIMON'S TOWN, *January 25th 1825.*

GENTLEMEN,—With reference to your letter of the 27th ult. relative to the execution of a Caffre at the Chumie, on my first visit to Gaika in March 1821, I was obliged to write to the Brigade Major in Graham's Town for a Copy of the correspondence respecting this Man, previous to my arrival on the Frontier, and by the last post I have received the accompanying Letters, one from Major Jones, and the other from Major Rogers 6th Regt. (who succeeded to the temporary command on the former being recalled), and these Letters are all the Correspondence Major O'Reilly could find. Major Jones's Letter states the circumstances of a Herd Boy of Mr. Hobson's being missing and 48 Head of Cattle being stolen. That in consequence he entered Caffraria with a Commando unsucces-

fully, either as to ascertaining the fate of the Boy or in recovering the Cattle ; subsequently it was discovered that the boy had been murdered by the Caffre or Caffres who had stolen the Cattle.

Major Rogers states the circumstance of the Chief Botman having sent into Fort Willshire a Caffre who was concerned in the murder of the Boy.

This Letter arrived about the period I was appointed to the Command of the Frontier, and was put into my hands with directions from His Excellency that if he was really the man who committed the murder, I was to send him to Gaika, and make him hang him in presence of his own people and our force. Some delay took place from my having no interpreter to communicate with Gaika ; at last having fixed a day to meet Gaika at the Drift of the Keiskamma at Fort Willshire, I sent over the prisoner and went to meet him. Gaika, probably afraid of going to that place, did not appear, and I then sent word that I would meet him at the Chumie Institution, and taking an Infantry Party in addition to a small Cavalry Patrol with the Prisoner, I found Gaika at that place.

I had a long Conference through the medium of Adams the Interpreter, with Gaika, and his son McKommo, as to the guilt of the Prisoner, of which I had no doubt after the question had been put to the Caffre, and he had admitted that he had committed the Murder, as both Gaika and his Son assured me he had done it. Under existing circumstances it was not possible for me to obtain any other proofs, and I considered myself warranted on the Prisoner's own Confession to order Gaika to have him executed as an example to the Caffres. Gaika repeatedly refused to order his execution, saying that the Caffre had never done him, or any other of his People injury, and he did not see why he should execute him. I replied that the Caffre had murdered a white man, and he must die for it. Gaika a long time resisted my command, and absolutely refused to put him to Death, but that I might, as he was in my power. At last telling him that he must either execute the Man, or take the consequences, I called out to my party to "Stand to their Arms," and the Men immediately began to pull off their Gun Covers (as it was raining). Gaika no sooner observed this, than he said to Adams with much

apparent alarm, "What is he going to do? tell him I will order the man to be executed immediately," and calling out to 2 or 3 of his People he gave them some instructions. The Caffre was given over by the Cavalry Guard to them, was led to the Bottom of the Chumie Village and a Cord was put round his neck, and in a few seconds he was dead. A number of Caffres were present with the Military Party I had. On my return to Graham's Town, I sent a detailed report to the Military Secretary for His Excellency's information, who was pleased to express his approval of my proceedings in this (by no means pleasing) duty, and I hope my Letter will be satisfactory to you, and that in your opinion I may be justified in the decided and severe part I had to perform in this transaction; the safety of Individuals and tranquillity of the Frontier requiring with the Caffres strong measures, to deter them from perpetrating murders, to which at one period they were greatly inclined. I have &c.

(Signed) H. MAURICE SCOTT.

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[Original.]

*Letter from LORD CHARLES SOMERSET to EARL BATHURST.*

CAPE OF GOOD HOPE, 27th January 1825.

MY LORD,—I do myself the honor to inform Your Lordship that I have found it imperative upon me, in order to check the Depredations which it has been represented to me have been constantly committed in the Government Woods and Forests on the Baviaans River in the Graaff Reinets District and to preserve from Destruction the only firewood procurable in that Quarter, to appoint an officer for this especial purpose.

I have the honor therefore to inform your Lordship, that I have selected Lieut. J. Devenish on the Half Pay of the late Cape Regiment to be Ranger of the Woods on the Baviaans River with the very moderate salary of Six Hundred Rix-dollars per annum (about Forty Three Pounds Sterling).

It has also become necessary in consequence of the increasing population, to divide the extensive Field Cornetcy of Sea Cow River in the Graaff Reinets District and to appoint an additional Field Cornet to the new Division at the usual

allowance of Two Hundred Rixdollars per annum (about Fourteen Pounds Six Shillings Sterling).

The importance of giving every aid to the establishment of the Port at the Kowie Mouth has rendered it necessary to establish a Ship Carpenter there, at the fixed wages of Forty five Rixdollars (little more than Three Pounds Sterling) per mensem.

I beg to solicit your Lordship's Sanction to these Items of Expenditure and that you will be pleased to cause the same to be notified to the Auditors of the Colonial Accounts.

I have &c.

(Signed) CHARLES HENRY SOMERSET.

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[Original.]

*Letter from LORD CHARLES SOMERSET to EARL BATHURST.*

CAPE OF GOOD HOPE, 27 January 1825.

MY LORD,—I beg leave to acquaint Your Lordship that I have granted leave of absence for the term of Six months from the period of his embarkation from hence to John Marshall Esqre., President of the Lombard and Discount Banks, to return to Europe on his private affairs.

I have directed Mr. Marshall to report himself to your Lordship on his arrival in England and to apply to you for any further extension of leave, and I have furnished him with the Certificate required by your Lordship's Despatch No. 9, dated 21st April 1818.

Notwithstanding that Mr. Marshall satisfied me, as to the peculiar Importance to his domestic Concerns of his immediate return to England for a short period, I resisted his application, until I had ascertained from His Majesty's Commissioners of Enquiry that his presence here would no longer be necessary for the purposes of their investigation of his Department, but having now received that assurance from those Gentlemen, I have acceded to Mr. Marshall's pressing Solicitation.

I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Original.]

*Letter from LORD CHARLES SOMERSET to EARL BATHURST.*

CAPE OF GOOD HOPE, 27th January 1825.

MY LORD,—The rapid encrease of the English Population here, the activity of that part of the community dissenting from the established church, the recent Erection of a chapel by the Scotch Independents, of another by the Roman Catholics, and the project about to be commenced of building a Scottish Church here, impel me to submit to your Lordship that the time is arrived when it has become necessary to erect an English Church in Cape Town,—I will not disguise from Your Lordship that this important work cannot be effected from the Revenue of the Colony.

I have the Honor to submit to your Lordship a plan accompanied by an Estimate for a Church capable of containing 812 Persons, and I beg leave to solicit Your Lordship's authority for drawing on His Majesty's Treasury for the Expence as it arises in the progress of the Building, for which Interest of 5 per Cent shall be paid from the date of the consecration of the Church, the amount of Interest will be provided for by renting the pews according to the following Scale

	<i>Rds.</i>
62 Pews of the 1st class for 6 persons in the area at 50 Rds. per annum,	
about £3 11 sterling, each pew . . . . .	3,100
40 Pews in the gallery at 50 Rds. per annum, about £3 11 sterling,	
each Pew . . . . .	2,000
20 Smaller Do. under the Gallery at 25 Rds. each . . . . .	500
	<hr/> Rds. 5,600

There will remain open in the gallery for casual visitors of the 1st class, 8, under the Gallery 20. The above Rent of Five thousand Six hundred Rixdollars would pay the Interest on One hundred and Twelve Thousand Rixdollars. Should your Lordship accede to this Proposition (and it is the only practicable one that has suggested itself to me for attaining this most desirable object) may I request your Lordship to communicate the same to T. P. Courtenay Esq. in order that he may take the necessary steps for procuring Slate for the covering of the Roof, without delay. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Original.]

*Letter from LORD CHARLES SOMERSET to EARL BATHURST.*

CAPE OF GOOD HOPE, 27th January, 1825.

MY LORD,—In October last I felt it my duty to trouble Your Lordship respecting the conduct of a Person calling himself the Revd. Dr. Philip, the Head of the London Missionary Society here, and I have delayed to trouble Your Lordship further in his regard, hoping there might be no necessity for so doing; but as I proceed to-morrow to the Frontier and must necessarily be absent a considerable time from hence, and as I learn that said Philip is in active correspondence in England, and being aware also that he has the art of making very well intentioned and very respectable Persons there receive his communications with confidence, I feel it my duty to intrude him again upon Your Lordship.

I know his secret hostility to all recognized authority, and I cannot but fear that he will take advantage of my absence, and make some representation that may be brought before Your Lordship, and perhaps the Public in order to vilify this Government. I therefore transmit to Your Lordship some Documents which I hope will serve to elucidate the insidiousness of this dangerous Man's character.

1st. A Brief Sketch of his Life and Origin.

2nd. A transaction with His Majesty's Commissioners of Enquiry respecting the Revd. Mr. Murray, the Chaplain (and a very respectable Clergyman) of Graaff Reinet.

The Force of this transaction cannot be felt unless it is known that three weeks had elapsed after the conversation with Mr. Murray and Mr. Smith alluded to by Philip had taken place, previous to his making any communication to His Majesty's Commissioners of Enquiry. This communication he made on the Day previous to the one on which Mr. Murray's departure was fixed at an early hour in the morning for Graaff Reinet (distant five hundred and sixty miles). Philip therefore ventured to say that Mr. Murray being *then* on the spot could be referred to. Unfortunately for his pretended caution, Mr. Murray's departure was unexpectedly deferred and an Eclaircissement took place.

Similar Traits of this Man's character were evinced in the cases of his claiming Greig's Press as belonging to the Society he represents, and in his foul and unjustifiable attack upon the Landdrost of Albany at the Meeting of the Society for the relief of distressed Settlers in August last. In the latter case he waited nearly a year before he mentioned the subject, because the Military Officer whom he quoted had then sailed for New South Wales. In the first case Greig's Press had been locked up by the Police 8 or 9 weeks, and Philip never attempted to lay any claim to it until Greig had sailed for England long enough to ensure his not being blown back into Port. It is in this manner that he attempts to avoid an exposure of his Duplicity.

3rd. The third Enclosure is the copy of a letter addressed by Fairbairn to Pringle, when the latter was in the Country, that accidentally fell into the hands of a Person attached to the Government, and whose loyalty induced him to put it into my hands. Your Lordship will have no doubt, after perusing it, of the mischievous intentions of these people. They corresponded with the disaffected in Albany, and having assumed to themselves the entire disposal of the large Sums subscribed for the Settlers have of course established a very uncontrollable influence in that Quarter.

I shall have the honor to address Your Lordship officially and minutely respecting the British Settlers in Albany as soon as I return. I have &c.

(Signed) CHARLES HENRY SOMERSET.

[Enclosure 1 in the above.]

Biographical Sketch of John Philip, formerly a Journeyman Weaver and now the Head of the Missionary Society at the Cape of Good Hope and calling himself Dr. Philip.

John Philip is the Son of a Journeyman Weaver at Kircaldy, N.B. He was bred to the loom and at 14 years of age became a Journeyman Weaver and received wages. Possessing a reading talent he soon became the President of the Weaving Community in their debates over Whiskey and Ale. His constant Song was, that the Nation was on the high Road to

perdition and that nothing but a Republican change could save it. In his Speeches he attacked the established Church, calling it "the Whore of Babylon, the Mother of Harlots and the very mystery of abominations" mentioned by St. John in the Revelations. He afterwards removed to Aberdeen, where he was presented with a Suit of black Clothes for his Shouting. From hence he was sent to a School at Hawton supported by Scotch Independents and from whence the pupils are sent on Sundays to preach on Commons, &c. From Hawton he got to be assistant to a Dissenting Parson at Newbury. From Newbury he got back to Aberdeen where he got Money from the people to build a Chapel. He remained there 12 years, living in continual warfare with the people, the Ministers of the Church, or the Magistrates. At length finding his Congregation become unmanageable, and possessing the title deed of the chapel himself, he one day stood up in the Pulpit and dissolved the Church. After this the occurrence respecting Mr. Rennie took place, the publication of which by Mr. Barclay rendered it necessary for him to change his Quarters, and he began writing and preaching respecting the *poor Heathen*. He thus imposed on the Directors of the London Missionary Society before whom he preached and he became a candidate to be Superintendent in South Africa.

[Enclosure 2 in the above.]

*Substance of a Conversation with the REVEREND DR. PHILIP held in November 1824, and of some Interrogations put by HIS MAJESTY'S COMMISSIONERS OF INQUIRY, occasioned by a Communication from DR. PHILIP respecting the Conduct of A. STOCKENSTROM ESQUIRE, Landdrost of Graaff Reinet, &c., &c.*

Soon after my arrival in Town I found a Card left at my Lodgings bearing the name of *Dr. Philip*; some time after, I considered it my duty from my very long acquaintance with that Gentleman to pay my Compliments. This I did in the Company of the Reverend Mr. Smith of Uitenhage, little anticipating that the subjects of a private Conversation would be made the ground of a Communication to His Majesty's Commissioners of Inquiry.



The Conversation which had been for a short time very General respecting Friends in Scotland, particularly in Aberdeen, turned upon the state of some Missionary Exertions in the Interior. I mentioned and defended the method pursued in Graaff Reinets, of a Missionary riding round and instructing the Servants in their Masters' Houses, as they could not be supposed to be permitted to go far from their home to receive Instruction. The Dr. maintained the propriety and advantage of having Institutions, similar to that already established by the London Society in different parts of the Colony, from whence better servants would in a short time issue; one had been established in the District of Graaff Reinets but had not succeeded from the influence of the Magistracy.

The subject of Contracts was introduced. I defended the necessity of something like a Contract being maintained, and as a confirmation of it said, that from the number of depredations committed in the Village of Graaff Reinets, it had been found necessary to institute some method of ascertaining the means which the Hottentots possessed of supporting themselves, and of obliging the idle to enter upon some course of procuring their own Subsistence.

The Dr. mentioned further, that tho' Mr. Stockenstrom was a good fellow, and the best among them, yet notwithstanding his great mind, (being a Dutchman) was naturally prejudiced in favour of the Old System. I mentioned that I had always found Captain Stockenstrom ready to support the most liberal system.

The Dr. mentioned that he intended to make a Journey into the Interior before he went home to England, to collect all the information he could, to lay before Parliament. He had no doubt we would soon see the whole System falling down before the light of day. He further stated, that the people on the Borders had been carrying on the System of shooting the Bosjesmen and taking away the Wives and Children; that he had proofs of a great number being shot in One Year; that you People in the Country thought that we in Town did not know what was going on in the Interior, but that he was in possession of documents to support what he had said.

Besides the above, the Reverend Dr. mentioned a number of things about a Mr. Van der Walt, the precise import of

which my Memory is not sufficiently faithful to enable me to state, but as far as I can recollect, he mentioned his strong opposition to the Missionary Institution at Graaff Reinet, as one strong reason for its failure.

When leaving the House of Dr. Philip I could not refrain from uttering to Mr. Smith my opinion of the high coloring which the Revd. Gentleman gave to his statements concerning everything relating to his own System, which, if it did not disguise truth, rendered it at least very difficult to be believed.

In conclusion I have only further to say, that in every conversation which I have had with any person since I came to Town, and more especially in the above mentioned interview with Dr. Philip, I can confidently declare that I have never uttered anything to derogate from the Character of Capt. Stockenstrom, but on the Contrary, have never failed to give my highest testimony to him as an enlightened and public spirited Magistrate.

(Signed) A. MURRAY.

CAPE TOWN, 10th December 1824.

As present during the above mentioned conversation, I can confidently state, that what is here written is the truth; though not in the habit of taking notes of conversations held in visits of civility, there might have been some other things stated which have been omitted. And as during my stay in Town Mr. Murray and I were almost constantly together, I can give my attestation to what he declares to have been the testimony he gave to the Character of Capt. Stockenstrom in every conversation in which I heard his name introduced.

(Signed) ALEXANDER SMITH, V.D.M.

CAPE TOWN, 10th December, 1824.

I now proceed to the Sequel of this Affair, by stating that about three weeks after the Conversation already noticed as having taken place at Dr. Philip's House, on Saturday the 4th of December I was somewhat surprized on receiving a note from His Majesty's Commissioners of Inquiry, requesting me to wait on them either that afternoon or on Monday morning. I accordingly went on Monday, and when introduced into the

presence of Major Colebrooke my astonishment was exceedingly increased by the questions.

1st. Had I held any conversation with Dr. Philip ?

2. Had I stated to the Dr. that Mr. Stockenstrom after the Commissioners of Inquiry had left Graaff Reinet, had again reverted to the Old System of compelling Hottentots to bind themselves to the Farmers ?

I stated that I had never mentioned such a thing to Dr. P., and that so far from being the truth, many Hottentots were living at Graaff Reinet, who were bound to none, but were enjoying the perfect independence of selecting their own Masters.

3. Had I ever said anything to Dr. P. calculated to reflect on the public conduct of the Landdrost at Graaff Reinet, or impugn the Measures of this Local authority ? I replied, severely agitated, that I had always borne my testimony as I was bound to do, to the just administration of public affairs of this officer, and was ever ready to manifest my decided approbation.

4. Had I ever made any observations to Dr. P. which could induce him to presume that Capt. Stockenstrom was inimical to the freedom of the Hottentots ?

I declared I had not.

5. Had I made any assertion that the Landdrost was opposed to the Spirit and establishment of Christian Missionaries ?

I answered that I had said nothing of the kind ; that the whole was in direct opposition to truth, and was readily refuted by the fact that the Landdrost was the principal Supporter of the Missionary Society at Graaff Reinet.

The above is the outline of the conversation with the Commissioners, but as I had no document to enable me to resist the charges brought against the Landdrost, and which so much involves my own moral integrity and connection with this Officer, under whose governance I am happily placed, I am unable to enter so fully into the particulars as I could wish. I naturally solicited a Copy of the charges, but this was not granted. They were furnished to the Major by a letter from Dr. P. a few lines of which were read, but afterwards the substance of the letter (which appeared of considerable length) was introduced in the way of catechetical arrangement.

Deeply wounded and hurt in my Spirit, I left the Commissioner, and found myself but ill fitted to set out on my journey on the following morning, but before this took place I scarcely knew what to do ; to see His Excellency was a thought by no means absent. The Fiscal's interference I also contemplated, but to show my abhorrence of so foul an attack, I wrote the following to the Doctor.

CAPE TOWN, 7th December 1824.

SIR,—Being just on the eve of leaving Town, I owe a duty to myself to inform you, that I am not ignorant of your most unpardonable conduct, in giving a Communication to one of His Majesty's Commissioners of Inquiry purporting the same to have come from myself, and reflecting most unwarrantably on one of the Constituted authorities, all of which you must know is in direct opposition to strict honor and plain truth ; you will understand that no further Communication will be made to, or held with Sir, your most obedient Servant,

(Signed) A. MURRAY.

When my Waggon arrived, I bade farewell to Town, and was making my way home earnestly longing to see my Landdrost and lay before him for his own information the whole of the extraordinary measures of Dr. Philip, when near Tulbagh I was overtaken by His Excellency's Messenger, requiring me to return to Town, when I instantly obeyed and obtained those various facilities which have again introduced me to the Metropolis.

From the above statement one cannot refrain from conjecturing what could have been the Revd. Gentleman's motives in misrepresenting the subject of the above conversation when reporting it to His Majesty's Commissioners of Inquiry.

Could it have been a desire to promote peace and good will among men, that led him to sow the seeds of dissension between one of the local authorities and the Clergyman of his District ?

Does he respect Magistrates as the appointment of God, and esteem Ministers for their work's sake, in thus seeking to bring them both into disrepute ?

Is he desirous for the promulgation of the truth, when he

coolly sits down and deliberately represents persons as saying the opposite of what they had advanced ?

If his motives are really what he declares them to be, to collect intelligence in order to lay the same before Parliament, that one may soon see existing Systems falling down before the light of day, it is to be hoped that he will seek to obtain statements more consistent with truth than those he himself makes.

If the Dr. is so concerned about the lives of the Bosjesmen as he pretends, why does it not come into his mind to spare that which is dearer to many than life itself, namely Character ?

It is to be expected that the prediction of the Doctor respecting the falling of Systems will likely be accomplished, if Individuals should be permitted with impunity to traduce the Character of Magistrates and Ministers. It is easier to shew what the Doctor's motives were *not*, than what they really *were*, neither the cause of peace nor order, nor truth, nor mercy; could have actuated him so to act.

If it is *his desire* for the downfall of Systems, he perhaps pursues the best means for accomplishing his object. I beg to leave him here to explain himself, and wish to be for ever freed from all further Communications with him.

(Signed) A. MURRAY.

CAPE TOWN, 11th of December 1824.

[Enclosure 3 in the above.]

*Copy of a letter from MR. FAIRBAIRN to MR. PRINGLE.*

N.B. This letter was sent, by mistake, *unsealed* from Harrington House to a Gentleman in Cape Town, who embraced the opportunity of taking a copy of it.

October 20th, 1824.

I don't recollect whether I mentioned in my last a 2nd Pamphlet which was said to be preparing at the Government Press. I got a Copy of it yesterday morning and immediately carried it to Dr. P. requesting him to shew it to the Commissioners. While I was speaking to him, a Note came from the Commissioners requesting an interview as soon as possible.

The Dr. thrust the Pamphlet in his pocket and marched off without delay. About an hour and 20 minutes after, the person from whom I had the Book called in great perturbation, telling me the Govt. officers were in a terrible uproar, that the Commissioners had by some means or other got a Copy of the Pamphlet, which having no printed name to it, constituted a Breach of the late Proclamation, that the Lord was storming, the Fiscal thundering, Richert wailing and the whole House in great perplexity. He begged therefore I would let him have back the Copy he had lent me that it might be returned in order to prevent mischief. I went directly to the Dr. whom I found just returned and told him what I had heard. Neither of us had mentioned the circumstance to any one except the Commissioners. The *inference was annoying*. We immediately sent a Note to them desiring to have back the Copy. B-g-e told us to see Major C. I went to the office. The Major *had gone out*, but Greig said he would leave the Pamphlet at Harrington House on his way out to dine in the Country. I had scarcely reached home when a Messenger came with a Note requesting my immediate attendance at Mr. B-g-e's residence. B-g-e began with a *long speech* setting forth the importance of the Document to them as they were determined to investigate the matter to the bottom for the sake of the public, to see, quoth he, whether the Laws here were considered as binding only on one class of the Community ; with more to that purpose and declined giving it up. I said I was as sorry to ask for it as he could be to give it up, but I had sent it merely (at present) for the purpose of being shewn to them to prove that it had been printed and published\* contrary to law, that I thought that object was gained. This they all three exclaimed against, protesting it never was intended to publish it here or anywhere said B-g-e. Why stick it ? why do it neatly up in a cover &c. ? They could not tell ; but repeated their assertions that its publication was not intended. I said more Copies than the one in question were in circulation. He (B-g-e) asked me if I was sure of that. I said I was, and mentioned an example of

\* Note on the margin in red ink: Not published nor was it intended to be published, a few Copies having been merely printed for transmission to Earl Bathurst by His Excellency the Governor and to the Bishop of London by the Reverend Mr. Hough.

which if they chose I would bring proof ; adding that I was induced to ask in this manner purely from feelings of indignation at the disgusting baseness of the Government in bringing up a ten years old Story to serve their purpose, in order to wound the feelings of a good man. After some more talk of a nature rather too curious to be committed to a Cape Post Office *as at present constituted* I obtained the Copy and saved the poor fellow through whom it had been got from ruin as I found from——. Now how did the Government think you, get Notice so speedily of this transaction, and how is it they do so in general. My conviction is (in this last Affair) that it was through the Commissioners, and that they have desired to save His —— from a foul and illegal Act. Had the alarm not been so quickly given, more Copies I doubt not would have been issued and the proofs of their intention to publish complete.\* B-g-e says printing is not publishing, all humbug. My opinion of the whole matter is this, and it must be known by the world by and by, that His Excellency by infringing the Proclamation for the purpose of gratifying personal malice, has disgraced again the Character of His Majesty's Representative, forfeited the Confidence of the Colony and given up all claims to public or private respect. You will see in Bridekirk's Paper a vehement attack upon the Dr. from the *pen* of Mr. H. Pugh.† My opinion is to offer no reply. It is as well not. Dr. P. has clearly no favour to expect from the Commissioners. I suspect they knew more of the 2nd Pamphlet than they care to be understood. Don't hint at this however. I will explain fully when I see you. We have now obtained a Capital Fact to determine the intention &c. of the Commissioners respecting the Governor. They have now seen what he is capable of doing. If they steer over this, their Commissionership is not worth a bean stalk. My suspicions are strong. If they prove so they are a trap. The Dr. is drawing up a justification of his conduct for his Society. He is doing it powerfully well and altogether we shall make a grand push upon Corruption. The Dr. says Rutherford has so tender a conscience that he bothers him. He won't take to himself any of the Settlers Society

\* No Copies were issued ;but those surreptitiously secreted by the Compositors doubtless paid for it by the party.

† That was only an exposure of a naked truth.

papers without an Order from the Committee. By the way the Doctor *is not a scrupulous man*, and is pretty well versed in the methods of managing the people.

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[Copy.]

*Letter from the COMMISSIONERS OF ENQUIRY to CAPTAIN TRAPPES,  
Landdrost of Worcester.*

CAPE TOWN, 28th January 1825.

SIR,—It is with the utmost reluctance that we feel ourselves compelled to address you upon a question that has arisen, in consequence of a reference to us by Earl Bathurst of certain Statements that had been made upon Oath by Mr. William Parker, in which he has thought proper to allege that the appointment of yourself and others, professing the Roman Catholic Religion, was effected thro' the influence of Lieutenant Colonel Bird, with a view of introducing Popery into this Colony, and of advancing the interests of the Society of Jesuits.

As we cannot venture to report upon any of the Statements made by Mr. Parker, without obtaining the best and most direct evidence that their nature admits, we feel that we shall stand excused by you in requesting to be informed whether you have been educated in, and now profess, the Roman Catholic Religion, and whether you are a member of the Society of Jesuits.

In proposing these questions, we beg you to believe that to our knowledge no question of disqualification for the Civil Situation you now hold is connected with them, although we think it probable that it might be thought objectionable hereafter that the Superintendence of the Interests of the Reformed Church, which you hold at present by virtue of your Situation of Political Commissioner of the Churches of Tulbagh and Worcester, should devolve upon an Individual professing these tenets. We have &c.

(Signed) JOHN THOMAS BIGGE,  
W. M. G. COLEBROOKE.



[Original.]

*Letter from MR. J. B. EBDEN to HENRY ELLIS, ESQRE.*

COPTHALL CHAMBERS, 28 January 1825.


DEAR SIR,—In reference to the conversation had with you yesterday, I avail myself of your kind permission to hand for your perusal the accompanying papers relative to the establishment of a joint stock Banking Company at the Cape of Good Hope, which as a measure of great public utility, will I sincerely trust receive your countenance and support, and I can only repeat to you that in common with every other individual of that colony, I should feel particularly obliged by your good offices, in taking such steps therewith, as you may think will best conduce to the attainment of the end in view.

Permit me to add that I shall be most happy to profit by any suggestions you may have to offer, either as to the principle or the mode of carrying the measure into effect.

To induce Capitalists to embark in the undertaking it is absolutely necessary that the rate of interest offered should be *profitable*, and it may be presumed that the local Government can well afford to pay 5 per Cent whilst they are receiving six, on a large portion, namely about one half, of the paper money in circulation, lent on mortgages through the Lombard Bank, which as you suggested with the saving accruing to Government by the supercession of the Lombard Bank and Discount Banks, would be nearly, if not quite tantamount to the Interest to be paid on the debentures. It may also be remarked that the Colonial Government, by paying off the paper money at 2s. would discharge their debt to the public at 10s. in the pound.

It should however be distinctly understood that the Company would have no desire to impose terms on the Government, but having a Royal Charter, with an exclusive banking privilege for 21 years, besides the Act of Incorporation the advance might I conceive be made at 4 per Cent, when the Bank would be to the Government and the public at the Cape, what the Bank of England is in this Country by its notes, payable in gold, forming the currency of the Colony.

It must be evident to you that the redemption of the paper currency is less the object in view, than the re-establishment



of the currency on a pure and solid base, which can only be accomplished by its being rendered independent of the Government.

As mentioned to you yesterday, the measure, as a financial one, has been referred from the Colonial Department to the Treasury, and Mr. Horton, whom I am to meet by appointment at 2 o'clock on Monday, has been good enough to inform me that my papers are now with Mr. Herries.

Soliciting your early attention to this matter, I am &c.

(Signed) J. B. EBDEN.

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[Office Copy.]

*Letter from* EARL BATHURST *to the* COMMISSIONERS OF ENQUIRY.

DOWNING STREET, LONDON, 30th January 1825.

GENTLEMEN,—I transmit herewith for your consideration copies of a Memorial, not dated, and of its enclosures, which have been addressed to the Lords Commissioners of His Majesty's Treasury by Mr. Launcelot Cooke complaining of the conduct of Mr. Blair the Collector of His Majesty's Customs at the Cape in regard to an apprenticed Negro named Jean Elle and specifically charging him with misconduct in a variety of instances in the execution of the duties entrusted to him under His Majesty's Order in Council in regard to condemned Negroes.

I also enclose a copy of another Memorial addressed by Mr. Cooke on the 10th Ultimo to the Board of Treasury complaining of certain proceedings at Law which were instituted against him and others by the Law Officers of the Government of the Cape in respect of his previous Memorial.

Having in my general Instructions of the 18th of January 1823 specially directed you to enquire into and report upon the state of apprenticed Africans in that Colony, I consider it almost superfluous to direct your attention to the various charges which have been preferred against the Collector of Customs on that point, and I am the more induced to entertain

an expectation that you will already have fully investigated this subject as the publicity of the proceedings to which Mr. Cooke has adverted will have impressed you with the necessity of ascertaining whether there has been any foundation for the charges brought against Mr. Blair by Mr. Cooke whose absence from the Colony will not necessarily have presented any obstacle to such investigation.

I have therefore only now to express my hope that you will take an early opportunity of transmitting to me a full report upon both these points. I have &c.

(Signed) BATHURST.

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[Copy.]

*Letter from SIR JOHN TRUTER to LORD CHARLES SOMERSET.*

CAMP GROUND, 31st January 1825.

MY LORD,—In compliance with your Excellency's order contained in a letter from the acting Colonial Secretary dated the 29th October last directing me and Mr. P. J. Truter, junior, to attend the general Synod of the Reformed Churches in this Colony, and to represent the Government as Political Commissioners on that occasion, we accordingly opened the Synod with the necessary solemnities on the 2nd November following, when we proceeded to business and continued our sittings to the 19th of the same month, on which day the Synod was closed in all due form.

I have now the honor to lay before your Excellency a circumstantial detail of all the proceedings in the order they were carried on together with a conductory letter in the name of the Synod requesting your Excellency's sanction on their Resolutions in general, and on some points in particular, contained therein.

A continued, severe, and in all probability fatal disorder, with which my fellow Commissioner was attacked shortly after the Synod was closed, has totally prevented him uniting with me in submitting our joint opinion to your Excellency's consideration on some points of the proceedings which have

appeared to us to require it. This task therefore has devolved solely on me, and I shall now endeavour to acquit myself of it to the best of my ability.

In the proceedings of the Synod held on the 16th November we find the following Noted No. 10.

(10.) With regard to the proposition to effect a closer union with the Scotch Church it was resolved to record the following : "The actual connection between the Reformed Church in the Netherlands and in this Colony having ceased by the cession of this settlement to His Great Britannic Majesty, it was considered whether and in how far the Reformed Church at this place ought to have obtained a similar relation with the Reformed Church in Scotland ? " when after mature deliberation it appeared that a Fraternisation with that Church would be of essential interest for the Colonial Church, but many difficulties occurred at the same time as to the manner in which this could be effected, as the administration of the Colonial Church had, during the War, in particular by the Regulations introduced under the Batavian Government, and still in full force, as well within itself as with regard to the Colonial Government, acquired such a nature as could make the relation even with the Netherlandish Church, if the Colony still belonged to that state, utterly difficult. Wherefore it was deemed advisable not as yet to make the same a subject of conclusive deliberation.

On this point I beg leave to state that under the Government of the former Dutch East India Company, the Reformed Church here stood in connection with the Church direction of Amsterdam and continued as such on the surrender of the Colony to His Britannic Majesty in the year 1795, but after the return of the Colony to the Batavian Republic the Commissary General De Mist as Representative of the Government at home placed the Reformed Church here under its own local direction, charging the Colonial Government to take care "that the management of the Church congregations in this Colony should be conducted with regularity," subjecting the Church to the provisions and regulations of the Colonial Government, and reserving to the Supreme Government in the Netherlands only the appointment of Clergymen, because this right could not be exercised by the Members of the Reformed Churches them-

selves here at such a distance from the Mother Country. Vide the 19th, 20th, and 21st Articles of the Church Ordinance.

For the rest, this ordinance gives the same power to the Synod here as to a provincial Synod in Holland, subject to no other authority than to that of the Colonial Government. Hence it has appeared to the Political Commissioners that the supremacy over the Reformed Church here should be considered as exclusively vested in the Colonial Government, and consequently that they as representing Government in the Synod could not allow that the Synod should acknowledge any other supremacy than that of the Colony, excepting that of His Majesty the King, from whom the Colonial Government derives its authority. In the meantime we were entirely of opinion with the Synod that a union with the Scotch Church, as supposed to be more enlightened and powerful, with the Colonial Reformed Church would be to the interest of the latter ; but against this important difficulties existed, especially with regard to the manner in which it could be effected, with the necessary caution, because the principal members of the Reformed Church are not convinced that the doctrine and discipline of the Scotch and Reformed Churches agree entirely in every respect, besides which they unequivocally signified that they would not give their consent that the Colonial Reformed Church should be subject to the supremacy of a foreign Church. This difficulty was of a serious nature, because I have reason to assure your Excellency that had the Synod come to a contrary resolution schisms and disorders would have arisen in the Church, which would have affected the public tranquillity, which the Synod by a unanimous wise declaration have prevented.

During the debates on the Supremacy when the existing Church Ordinance became also a subject of deliberation the question was proposed by some, whether this Church Ordinance was to be considered as having the force of a Law in this Colony ? The Political Commissioners expressed their surprise at such a doubt ; because the Commissary General De Mist was vested with the power to make Laws, and because the resolution containing this Ordinance was promulgated in the same manner as all other Resolutions and advertisements are published, in order to be generally binding, namely by means

of the *Government Gazette*, and under the Signature of the Secretary to the Commissary General; and for this reason I did not hesitate to declare in the Synod, that the Political Commissioners considered it their duty to insist on a strict observance of this Church Ordinance, particularly since the plurality of the members concurred with us in the argument that the Synod being assembled on the grounds and pursuant to the tenor of this Church Ordinance, it had by no means a good grace that the force of a law should be called in doubt at the very moment that they were acting upon it, and according to which they had seen the Reformed Church governed, with a dutiful submission on their part, for a space of almost twenty years. On all which grounds it was the opinion of the great majority of the Synod that as long as Government did not make any alteration in the Church Ordinance the same ought to be considered as a law, and altho' it might be deemed not to answer in every point, still however it was far better for the Government of the Church to have a less perfect, than no local law at all.

One of the chief objects of the Synod was to frame a general regulation for the Government of the Church, as well in its subordinate parts as in combined assemblies. In this regard the Synod chiefly followed the rules laid down for the Reformed Church in Holland after the conclusion of the Peace in 1815, with such modifications and alterations as the local circumstances of the Colony rendered necessary, and with especial observance of the spirit, and preservation of the authority of the present Colonial Government. Each of these points was separately discussed, and nothing resolved on without having previously asked the opinion of the Political Commissioners, and which when given were duly attended to.

Another chief point of the deliberation of the Synod was the promotion of religious instruction. Wretched is the state of the interior of this Colony as well with regard to education in general as to religious instruction in particular. This great defect cannot be sufficiently provided for by the Establishment of Schools, because it is almost impossible for the Inhabitants who reside so far from one another in most of the Country districts to send their children and servants regularly to the Schools. Hence there is a necessity of having itinerant

teachers in reading, writing, and arithmetic, as well as some catechists to give religious instruction in each district, who under the superintendence of the clergymen should be so distributed in every part of the district that all the children of the Inhabitants, as well as the Hottentots and Slaves, could be regularly brought together for instruction without any great inconvenience; and in order to expect any essential benefit from this measure, such teachers and catechists should be regularly educated for the purpose.

On that occasion it was likewise taken into consideration that it is excessively burthensome for those inhabitants who wish to bring up their sons to the profession of clergymen of the Reformed Church to send their children early in life to Europe for this purpose, and to make good the necessary expence hereto for so many years, and therefore that it would be of great importance not only to the Inhabitants but to the Church itself in case such children could be so far instructed here in the preparatory studies of religion that they would require only a few years at a regular university in Europe to complete their education and get ordained.

To attain both these objects the Synod has recommended to your Excellency the Establishment of a Seminary or Theological School in which boys could receive a preparatory education for the Church, and where at the same time catechists and schoolmasters for the lesser branches of Instruction both in English and Dutch could be formed and properly qualified. The adoption of this suggestion of the Synod cannot have any other than a beneficial influence both on religion and civilization, because the way to obtain proper clergymen for the Reformed Church is hereby rendered easy, and a great desideratum in the country districts is attained by the only means which under the existing circumstances can be considered adapted to that purpose.

In deliberating on the subject of religious instruction the Synod considered it as especially necessary that the Catechists and schoolmasters should be brought up to teach both the English and Dutch languages, and at the same time, in order on their part to promote the extension of the English also as far as practicable, they resolved to cause the English translation of the Heidelberg Catechism, which contains the ground work

of our reformed religion, to be printed in order to be made use of in all the schools throughout the Colony, so that the Children of parents belonging to the Reformed Church can learn the first principles of religion in the English language likewise.

On the occasion of the debates in the Synod on the utility of promoting a general knowledge of the English language I must do the Members the justice to say that they unanimously signified their inclination hereto, and acknowledging the liberal protection which the Reformed Church has enjoyed under your Excellency's Government, evinced every possible disposition to assist in promoting your wise and beneficial object in all other respects in their line. One circumstance however during the deliberations of the Synod respecting the English language could not fail to attract my attention, namely it has appeared to me to be difficult for the minister to draw the line and fix the limits within which the civil obligation to know the English language is confined. This is a point of serious consequence, and as such I beg leave to avail myself of this opportunity, with due submission, to state my opinion in this regard. For the sake of public order and regularity, everyone should be made sensible that the Colony being now under the Government of the British Crown, the English Language is to be considered as the language of the State, which therefore all public Functionaries *are obliged* and all other inhabitants have an interest to know, in order to its being made use of in all public transactions.

The ground is obvious, every individual who continued a subject of His Britannic Majesty after the cession of the colony having voluntarily subjected himself to the inconvenience which might result from the natural consequences of such cession. This obligation however cannot extend to religious worship, in which one cannot conform to circumstances, nor be considered as having subjected himself to inconvenience arising from an imperfect knowledge of a foreign language in matters affecting his eternal welfare. In the church therefore the English language can only be introduced in time by degrees and as it were of itself. It should be considered that it is scarcely ten years since the colony has been ceded. Till that time most of the Colonists believed, and this belief was strengthened by the ignorant and disaffected, that the Cape



would not be given up, and it was only after the cession that the Colonists considered the separation from their Mother Country as a serious fact. At this very day the Dutch is the domestic language in all families, even the encrease of the English Inhabitants since the cession has had less influence than one could have expected, under these circumstances religious instruction cannot be given otherwise than in the Dutch language, except at the expense of religion itself, and this will continue to be the case until an encouraged general instruction in the English language added to an encreased English population should have enabled the succeeding generation to use the English language with equal facility and advantage as that of their fathers, and when the present manner of extending the knowledge of the English continues uninterruptedly without imposing on any person any other obligation than what the public order and regularity of Government absolutely require, everyone's own interest will prompt him voluntarily and without any humiliating feeling to give up by degrees the domestic use of the language of his ancestors for that of a new and liberal Mother Country.

I should not have taken the liberty thus freely to offer my opinion to Your Excellency, had I not perceived out of the Synod that an apprehension is fast spreading among the Public that their children will not be allowed to receive any farther instruction in Dutch, and that this language is to be totally proscribed.

This frequently obliges me to give the public a better opinion of His Majesty's Government, in order to remove impressions which can only tend to render Your Excellency's administration troublesome, and to impede that desirable amalgamation of public feeling which it ought to be the study of every good man to promote.

Another serious point which likewise formed a subject for the deliberation of the Synod was that among the Political Commissioners in the Country Districts there are some who are neither members of the Reformed Congregation nor even belong to any other protestant Church. In this the Synod have requested your Excellency to provide, in which I considered reasonable to concur, because the interest of the Church appeared to me to require it.

Finally I take the liberty to recommend to Your Excellency the plan framed by the Synod for the establishment of a fund for Clergymen's Widows. This is nothing new in the Dutch Reformed Church, and is here applicable in its fullest extent, because the highest salary of a Clergyman here is scarcely sufficient to defray the necessary expences, through which he has no opportunity of saving anything to leave his Widow in case of his death, while they receive such a trifling pension from Government that they cannot possibly subsist thereon. Your Excellency will perceive from the plan that the Clergymen themselves are to make essential sacrifices for the Establishment of the fund, while the annual contribution of 600 Rds. from the Orphan Chamber for the first ten years could, in my humble opinion, never be better appropriated. This plan will likewise afford great encouragement to persons to become Clergymen of the Reformed Church in this Colony.

The further points contained in the Records, and mentioned in the conductory letter, require no particular remark, and are clearly stated therein. However before I close this report, I consider it my duty to assure Your Excellency that the proceedings of the Synod were carried on with exemplary order and unanimity, and that in every respect a spirit of confidence in, and attachment to, His Majesty's Government has been unequivocally evinced, through which the Ecclesiastical Directors of the Reformed Church in this Colony have rendered themselves worthy of the full application to them and their churches of the 19th Article of His Majesty's liberal instructions to Your Excellency ; and I do not say too much when I conclude by assuring Your Excellency that the spirit of unity which by the holding of the Synod has been established in the Reformed Church may be considered as an additional support of your Excellency's paternal administration. The general anxiety and apprehensions of disagreement, schism, and confusion, entertained at the opening of the Synod, have on its termination made room for ease and tranquillity in the minds of the congregations, unity in the Church, concord and love among the reformed Clergy, and gratitude towards His Majesty's Government and to your Excellency in particular. I have &c.

(Signed) J. A. TRUTER.

[Copy.]

*Prospectus of the South African Times, a Newspaper proposed to be published by MR. GEORGE GREIG, at the Cape of Good Hope.*

4th February 1825.

The *South African Times* is intended to be devoted exclusively to the interests of the Cape of Good Hope. Its politics, like those of the late *South African Commercial Advertiser*, will be guided by loyal and constitutional principles. Religious, moral and literary topics will be discussed in a calm and temperate spirit ; and the great work of removing prejudices, of promoting the humane views of the paternal government, with regard to education ; of diffusing knowledge and a taste for reading ; and of effecting the consolidation into one body of all classes of people in the colony, will be prosecuted with unceasing ardour. The measures of the colonial government, and of the different courts and public functionaries, will be diligently observed, and all their proceedings fairly and temperately considered ; in doing which, however, all personality will be strictly guarded against. And while a becoming freedom will be exercised in adverting to the ill effects likely to accrue from the particular policy of the colonial government, the *South African Times* will consider it a duty not less imperative to commend and give the widest publicity to acts, the tendency of which is to benefit the colony, or any portion of its inhabitants, trade, commerce or police.

Reports of trials in the civil and criminal courts, and proceedings before magistrates of general interest, will be given at large.

Foreign intelligence, debates in Parliament, and especially such as may affect the interests and feelings of the people of the colony, will be carefully and copiously extracted ; and any new legislative enactments, bearing at all upon its agriculture or commerce, will be inserted at length. Arrangements will be made for the transmission of these, and of any popular works on colonial subjects, with the least possible delay.

(Signed)      GEORGE GREIG.

